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EAST-INDIA QUESTION.

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**DEBATES**

AT THE

**GENERAL COURT OF PROPRIETORS**

OF

**EAST-INDIA STOCK,**

ON

THE 22ND AND 26TH JUNE, 1813,

ON

***A BILL PENDING IN PARLIAMENT***

FOR A

**RENEWAL**

OF THE

**COMPANY'S CHARTER.**

---

BY THE EDITOR OF THE FORMER DEBATES.

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WITH AN

**APPENDIX.**

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LONDON:

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1813.

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*The Editor of the former Debates considers that no apology is necessary for the continuance of what, when completed, will afford great and valuable information, on a subject confessedly the most important to the interest of the BRITISH as well as the INDIAN EMPIRE.*



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## PROCEEDINGS, &c.

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EAST-INDIA HOUSE, *June 22, 1813.*

A Special General Court of Proprietors of East-India Stock, was this day held, in consequence of the reason which the Court of Directors had to expect, that, previously to this day, the opinion of the Hon. the House of Commons, upon the subject of the Company's Charter would have been so far ascertained, as to have enabled the Court to communicate the same, for the consideration of their constituents,

The minutes of the last Court having been gone through,—

The *Chairman* (*Robert Thornton, Esq. M. P.*) acquainted the Court that, by the second section of the third chapter of Bye-Laws, it was directed that the Bye-Laws should be read at the first

General Court after the election; and he therefore moved, " That an abstract of the said laws " be now read;" which abstract was read accordingly.

The *Chairman* then observed, that, in conformity with the fifth section of the first chapter of Bye-Laws, sundry papers, which had been laid on the table of the House of Commons, should now be laid before the Court.

The *Chairman* proceeded to inform the Court, that the Court of Directors had communicated to Sir *Hugh Inglis*, the unanimous resolution of the General Court of the 24th of March last, requesting his aid and assistance during the remainder of the negotiation with His Majesty's government. To this proposition Sir Hugh had returned an answer, expressive of the high gratification he derived from this additional proof of kindness and confidence—which was immediately read to the Court. (See Appendix, No. I.)

The *Chairman* again addressed the Court, observing, that he had a very serious duty to perform, a duty imposed on the high situation to which he had the honor of being raised, and which he was most anxious to discharge with a warm attachment to the interest of the Company, with a strict impartiality to the public,

and with that plain and correct perspicuity which would render the subject to be submitted to their attention, clear, precise, and intelligible—a most important subject indeed, and one which every gentleman present would very easily anticipate. They were now assembled for no less a purpose than to be informed of the decision of the House of Commons, as far as it had yet proceeded, on the great question of renewing the Company's Charter. They all knew, without its being unnecessarily detailed by him, what had passed in that House; he had, therefore, in the first instance, only to lay before the Court an explanation of the various proceedings which had taken place, since the Directors had last the honour to meet them. He should venture, after the several documents had been read, to address them in a few words. But it would promote the regularity of their proceedings, if a paper was previously submitted to them, containing the proceedings of the Court of Directors, which had been drawn up for the express purpose of acquainting the Proprietors with the conduct pursued by the Court, during the execution of that most interesting and momentous charge which had been entrusted to their management. There would also be laid before them the evi-

dence adduced, on behalf of the Company, before the two Houses of Parliament; together with a letter addressed by the Chairs to the Earl of Liverpool; the minutes of what passed at a conference with the Lords Liverpool, Castlereagh, and Buckinghamshire, on the 10th of this month. He would make no farther observations till the documents, he had mentioned, were read.

The *first* document (see Appendix, No. II.) was the "copy of a letter from the Chairman and Deputy Chairman of the Court of Directors, dated May 27, 1813."

Mr. R. Jackson inquired, whether any answer had been returned to this letter?

The *Chairman* replied, a short answer had been returned, stating, that His Majesty's Ministers would be glad to meet any gentlemen, deputed by the Court of Directors, on the points referred to in the letter.

The *second* document (see Appendix, No. III.) was the "minutes of a conversation between a deputation appointed by the Court of Directors, namely, the Chairman and Deputy-Chairman, Sir Hugh Inglis, Mr. Mills, Mr. Grant, and Lords Buckinghamshire, Liverpool, and Castlereagh, on the 10th of June, 1813."

Mr. Hoare wished to know, as a conversation

had taken place between His Majesty's Ministers and a deputation from the Court of Directors, whether the paper which had just been read, contained a fair and complete relation of the facts, or was merely a recital of them by the gentlemen who attended on behalf of the Company?

The *Chairman* in reply stated, that it was a recital of the facts, agreed to by both parties.—He certainly did not mean to say, that it comprised the whole of the conversation which passed, because the conference lasted about two hours; but all the parties agreed, that the principal points were fairly stated. In consequence of the question of a learned Proprietor (Mr. Jackson) he had sent for Lord Liverpool's answer to the letter of the Chairs. It was a very short one, and, in fact, not at all material, as it only expressed his Lordship's readiness to meet any gentlemen whom the Court of Directors might think proper to appoint.

Mr. *R. Jackson* observed, that the anxiety of the hon gentleman (Mr. Hoare) arose from a desire to know specifically, whether the authenticity of those minutes had been confirmed by any thing like a mutual admission of the fact agreed to by both the parties.

The *Chairman* answered, that it had.

The *third* document (see Appendix, No. IV.) consisted of the “ copy of the resolutions communicated by the Hon. the House of Commons to the Right Hon. the House of Lords, respecting the affairs of the East India Company.”

The *Chairman* stated, that these resolutions were printed, and would be delivered, on application, to any Proprietor who would call for them.

Mr. *Hume* inquired, whether the *Chairman* had any communication to make relative to the 8th and 13th articles, as they stood in the original list.

The *Chairman* answered in the negative.

The *fourth* document (see Appendix, No. V.) was the “ copy of a letter from the right hon. the Earl of Liverpool to the Chairman and Deputy Chairman, dated May 29, 1813.”

The *Chairman* then directed that the *fifth* document (for which see Appendix, No. VI.) should be read. It was a note from the Earl of Buckinghamshire, dated June 13, 1813, giving his sanction, and that of Lords Liverpool and Castlereagh, to the minutes of the conversation which had taken place between their Lordships and a deputation from the Court of Directors.

The *sixth* document consisted of the evidence delivered, on behalf of the Company, before the

Houses of Lords and Commons. The *Chairman* observed, that it would, of course, be read short, as it had already been printed, and laid before the Proprietors

He would next beg to have a paper read which was most material, and to which he would humbly request the serious attention of the Proprietors. It was a statement, drawn up by the Court of Directors, giving an account of their proceedings, under the very important circumstances which had taken place: it related to every thing that had passed, with reference to the renewal of the Company's Charter, since the Directors had lost the honour of meeting their constituents. It was a detail, which, after it had been properly weighed, would call for some serious determination on the part of the Court. It came down to the latest date, that of the preceding day, and comprised every event which had occurred, on the subject of the Charter, since the 24th of March last.—(See Appendix, No. VII.)

The *Chairman* then informed the Court, that all the documents were now read, which were necessary to shew to the Proprietors the manner in which the Directors had conducted themselves. They had no power to proceed any farther;—to the Court, therefore, they made a solemn appeal, after the perplexed and difficult circumstances in



## DEBATE AT THE

which they had been placed. They had endeavoured to comply with the wishes and instructions of the Proprietors; and they had, to their utmost ability, supported the interest of the Company, both in their conferences with His Majesty's Ministers, and in the House of Parliament; but he regretted to say, that they had been in a great degree unsuccessful: they had been overpowered by what he feared was the opinion of the nation. The period was very unfortunate in which they had been called upon to make their defence against unfounded accusations, to combat capricious prejudices, to expose fallacious hopes, and to maintain the interest of both empires, while standing up for the integrity of the Company. The public mind had been roused by disappointments in trade—a great stagnation had taken place—and the people, generally speaking, had no vent for their manufactures. It was natural, under such circumstances, for the manufacturers to complain, and to look out for new sources of commerce; it was natural for them to be seduced by any prospect, however fallacious, which would sooth their hope, and to be led away by every argument, if it were but specious, which promised relief: this formed some apology for *them*: but, unfortunately, all their prospects and all their hopes were directed toward, and bore hard upon the

Company. It certainly was natural for the mind of man, in such a situation, to grasp at that which was not substantial. This had been the case in the present instance: and he deeply lamented, that persons, disappointed in their other speculations, had been too powerfully supported in making successful inroads on the Company; for, he was of opinion, they were only likely to obtain that which would do *themselves* no good; but which, being snatched from the Company, would inflict much injury on those who deserved well of their Country.

No benefit (he thought) could possibly result to either party from the arrangement proposed; but he lamented his Majesty's ministers did not see the subject in that light; and he regretted to state, that the Company were not sufficiently supported by the Legislature. The new system which was formed for the Company, if they accepted of it, would, at the same time it increased their losses, diminish their trade; their attempts to extend, to replace, or to exchange any existing system, would only add to their expenditure, and the revenue would every day become more deficient. In the course of the debate, as well as in the public prints, much unfounded obloquy had been levelled at the Company. They had been called, as it were, "a public nuisance, a monopoly that afforded no advantage to the country:" but it should not be forgotten, that

they were a monopoly which had won a Kingdom, which had formed an Empire, and had ruled that Empire with justice and integrity. (*Applause.*) He thought it was right at the same time to state, that if they had such hard language to contend with from some quarters, they had also the consolation to have received ample and honourable testimonies of applause and approbation, from men of the most distinguished talents: this they might fairly set in opposition to the contumely that had been heaped upon them. It was generally admitted by public men, by the members of both Houses of Parliament, by the very Ministers themselves, who, he apprehended, had listened too seriously to the cry throughout the country, and were now proposing this alteration in their system—all persons and parties had admitted the worth and integrity of the Directors themselves, and in a more especial and particular manner had borne testimony to the zeal and abilities of their servants. It was admitted, at the very moment when so material a change was proposed, that it did not arise from any error in the management of their affairs; that it did not proceed from any want of experience; that it was not occasioned by any deficiency in that knowledge which was requisite for the performance of their arduous duties, as sovereigns and merchants. At former periods, indeed, the Compa-

ny and their servants had been termed spoilers and oppressors, and therefore it was argued, that the mode of governing India should be altered : but no such reproach was whispered in the present day. They were now told, not that the Company deserved to be abandoned and despoiled, but that the intended change was salutary for the country at large, and, therefore, must be compassed and maintained. It was not attempted to be said, that either mal-administration or mismanagement rendered this change necessary. No man had the hardihood to assert that ; but such, however, was the necessity of the country, such was the tide of popular opinion, so forcibly did the cant term “ a free trade,” operate in consequence of reasons which he had already explained ; so powerfully did it run through the whole kingdom, that as well might they attempt to bind the sea in fetters, as to stop by the efforts of eloquence and argument, or even of evidence and facts, the current of that opinion, which then set in against them. A great number of members of Parliament were arrayed against the Company, and they were, consequently, left in a minority in the House of Commons. Perhaps it might be a cause of surprise, that the friends of the Company did not appear to make a stand at an earlier period of the debates. The truth was, they •

(such of the Directors as were Members) had consulted with the little party by which the interests of the Company were supported; they had examined public opinion in the best manner possible; the utmost was done that could be done; but the temper of the House was such, that it was not thought proper to come to an hasty division. At length, on a question which was raised, for the purpose of trying whether His Majesty's Ministers felt an anxious desire to make an experiment in a confined way, and without running such risks as were to be apprehended by allowing a free trade, from the out-ports to India, and from India to the out-ports, the opinion of the House of Commons was taken. On that question the Company was unsuccessful, as it was before augured they would be; their supporters found themselves to be a small party, and consequently unable to contend with the nation.

The Directors having discharged their duty, they now came to the Court, regretting that they had been thus far unsupported. Their arguments in defence of the Company were on record. The evidence brought forward at the bar of both Houses, they had hoped, would have convinced the most blind, and those who were most determined against the Company, of the justice of their cause. Certainly,

a number of gentlemen had come forward, speak in defence of their rights. Those gentlemen had done the greatest honour to themselves, and reflected equal honour on the system of Indian administration. They shewed in a clear and distinct manner, by what superior minds India had been governed. They displayed as much intelligence, as much knowledge, and as unsullied an integrity, as could be formed in the minds of any men whatever. (*Loud applause.*) Their evidence would always be read with interest; it would live for ever in this country; that Court was highly obliged to them; nothing but a change in public opinion, formed on public necessity, and persevered in by interested prejudice, could have prevented such evidence from having its full and preponderating weight.

He had now to state, that the principal alarm of the Directors had been raised, lest they should hereafter, in consequence of the system proposed, be subjected to great difficulties with respect to the Company's funds at home. These were required for the regular payment of territorial charges, and for other expenses, of various descriptions, which were to be met in this country. This point had been ably argued, and though their fears were not altogether done away, yet Government had certainly come forward, and

in some degree, lessened their apprehensions; relief was promised to them if they should suffer by this new system, provided no misconduct of theirs operated against it. Thus, if they were to oppress and overlay the private trader, for the sake of putting him down, this would be considered as misconduct; but unless such a charge were substantiated against them, Government had stated in the face of Parliament, that should any loss impair their funds at home, they would relieve the Company in such an unfortunate dilemma. It was something to obtain even this promise, which was stated in the minutes of the conversation recently held with His Majesty's Ministers, to which they had given their sanction, and which the Court had already heard read. They had also their fears respecting the Company's restricted and curtailed commerce, —and they dreaded the consequences of being charged with interfering with or impeding the private traders, aware how such a charge might be exaggerated and inflamed. He hoped that no event would occur which might give a colour to such an accusation; but, should such an attempt be made, the Directors had so strongly laid in their claim to fair and disinterested examination, as effectually to provide against such a contingency. The Directors had also been relieved from some uneasiness as to settlers going to the inte-

rior of the country; Government had devised a considerable degree of check, which would be extremely salutary, although it was not quite so efficacious as they could wish. The traders were now restricted to the three presidencies and the Prince of Wales's Island, in the first instance. They had also been successful in securing, for twenty years, a Charter, such as it was, granting the exclusive trade to China, and the trade to India.—There was, at one moment, a fear that the Legislature would not have granted a Charter of so long a duration. It was not in his power to lay before the Court the bill grounded on the resolutions; and he conceived that they could not judge of what their real circumstances were, till they were in possession of that bill; till they were made acquainted with its details, and saw how far it agreed with the resolutions. He therefore apprehended, that it would not be right (at the same time that he did not presume to dictate any thing to the Court) to come to a decision on that day. It would, perhaps, be better to defer any discussion till the bill, which embraced the greatest of all possible subjects, was laid regularly before them. The present should therefore only be a period of deliberation, and it was certainly open to any gentleman to deliver his opinions. He would, however, humbly sug-



gest the propriety of deferring any final determination till the bill was presented to them. He begged leave to state, that in offering those considerations to the gentlemen who were there assembled, he spoke his own sentiments only. He would make one more remark before he sat down. In the last Charter many apparent profits were offered to them: some of them turned out merely imaginary; they never were reaped by the Company. In offering the present Charter, such as it was proposed to be, there was very little profit hinted at; indeed, if any thing good arose from it, it was almost more than they dared to hope for; at the same time, it must be allowed that something, at all events, had been procured beyond what at one time was expected.

Mr. Hoare said, he understood the hon. Chairman did not mean to express the sentiments of the Court of Directors; but it might be supposed, by what fell from him, that some determination had been come to by them. If it were so, it ought to be avowed at once; the Court of Proprietors ought not to be left in the dark.

The Chairman said, the Court of Directors had come to no determination; he had only delivered his own individual opinion, and that in a very limited degree. What determination could the Court of Directors come to?—It was for the

Court of Proprietors to judge of the subject as they pleased. He had humbly endeavoured to state his regret, that the Court of Directors had not succeeded better in the House of Commons, but he ventured to add, on his own part, that something had been carried. He had suggested farther, that should the Directors be called on to continue their functions, they would feel it their duty, if they acted at all, to act up to the spirit of the Legislature. They would only undertake their duties in the way in which the Legislature should call on them to undertake them. There was one other circumstance which he wished to mention. The Directors thought it expedient to oppose, on their part, any delay in the House of Commons—this they did, because they felt that the safety of India might be compromised by it; and that the integrity of the Company's character, and the stability of their affairs, might suffer by a long period of suspense. The business was now no longer with the Court of Directors, it rested with the Parliament of the Empire. In conclusion, he begged to be understood as having offered no decided opinion whatever. It was a complete misconception, if the hon. gentleman supposed that he wished to propose any line of conduct for the adoption of the Court.

Mr. *Davis* rose, but gave way to

Mr. *Hoare*, who said, Before they entered on the business of the day, he should be glad to know, whether they were to consider the declaration of the Chairman, as the opinion of the Court of Directors, because, if they were, there were some parts in the hon. Chairman's speech of which he should like to take notice. If they were not so to consider that declaration, he should be perfectly satisfied. The sentiments made use of by the hon. gentleman might be those of the Court of Directors, in which case it would seem that they had come to a decision.

The *Chairman* begged decidedly to signify, that what he said was merely his own opinion. He meant not to say, nor had he so expressed himself, that he spoke the sentiments of any other individual. He hoped gentlemen would not attribute that to him which he utterly disclaimed. He did not intend to state any thing on the part of the Court. All he wished to deliver was a few observations entirely emanating from himself. He thought, when he dropped the suggestion, that it would be right to suspend a decision on that day, and to wait till the bill was regularly brought before them.

Mr. *Mills* observed, that he had only one or

two words to address to the Court. He was surprised at the speech which fell from the hon. Chairman. He had no reason to believe that he would have expressed an opinion. Some opinion however, had been expressed by him; but he (Mr. Mills) wished to state, that he should not be bound by any thing coming from that hon. gentleman.

The *Chairman* again begged leave to disclaim the accusation that he had delivered any opinion, except as an individual.

Mr. *Hoare* said, he was extremely willing to take the hon. Chairman's word, that he did not mean to deliver an opinion. The line of conduct which they ought to pursue was easy to be defined. In the present state of things it would be premature to offer a decisive opinion. He was desirous that the report which had been read should be printed and disseminated amongst the members of the Court. When the bill was laid before them, they ought to enter into its consideration with temper and firmness. He hoped they would, on that occasion, lay aside every feeling of personal interest: no love of property, no desire of emolument, ought to induce them to undertake that which they believed, for a moment, they were not perfectly capable of performing.—(*Applause*)

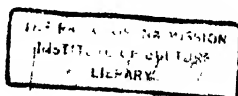
Mr. *Davis* said, he again rose to submit that to the Court which he before intended to have proposed. The Charter of the Company had been frequently likened to a lease; well, if it were a lease, it must be considered as a bargain between two parties, and no man ever entered into a contract without knowing the precise clauses on which it was to be founded. The Act of Parliament, on this subject, had not yet passed. It would not be read a second time sooner than next Monday: he should therefore propose, that this Court should adjourn till this day (Tuesday) week. He had not communicated this opinion to any person whatever. If other gentlemen thought differently from him, he, of course, should not get his motion seconded; but if any individual, either before or behind the bar, coincided with him in opinion, he should be obliged to him for his support, by which means an opportunity would be afforded of reading this Act of Parliament, with all its clauses filled up, before they came to any opinion upon the subject.

The *Chairman* wished merely to mention, that the second reading of the bill was fixed for Friday, and it was intended to go into the Committee on Monday; consequently, if they were to have a very long discussion in that room on

Monday, they would not be in time to attend to the business of the Committee. The debate would not take place on the second reading of the bill—it was fixed for the Committee. It was his own intention to make a motion, similar to that which had been made by the hon. Proprietor, with the difference only of the day, as he had proposed to name Saturday.—Not that it was a very convenient day, because he was aware that many gentlemen then present must necessarily be out of town; but he thought it would be favourable to a discussion on the bill which would then have been read a second time. *Their* debate would thus come on before the bill was committed; and if they did not act in this manner, the Committee would have taken the ordinary steps before they had at all examined the measure.

Mr. *Davis* wished to say a few words, in order to explain the motives by which he was prompted to propose what he conceived would be the next convenient day for discussing the merits of the bill. If it went into a Committee on Monday, how could they get possession of the bill, and become acquainted with its contents, before Monday night; and it was necessary, before they entered into this lease with the government of the country, that they should see distinctly and precisely the clauses into which they were about to

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enter. The Company had had a lease for twenty years ; which whatever might be said to the contrary, was most beneficial to the public.—*(Applause.)*—The Company had improved that which had been leased to them; and he would refer to the proceedings of common life,—he would ask the landholders of both Houses of Parliament, whether, if they were called upon to renew a lease to one of their tenants, they would not take the benefits which that tenant had conferred on their estate into consideration? Now, if they attached importance to a principle in one situation in life, he contended that it ought to have weight with them in another. He did not know precisely what it was Parliament intended to give them. He was aware that there was a lease, with blanks, ready to be signed. That which he objected to was the blanks contained in it. But, when it came fairly before them, they would have an opportunity of fully considering it, and giving their deliberate opinions. If a better day than Tuesday could be desired, he should have no objection to accede to it.

Mr. Puller said, the hon. Proprietor, who had ~~last~~ spoken, appeared to be mistaken a little as to the result of his proposition. The Court ought to understand what it was about to do. If they waited till the bill came out of the

Committee, when the clauses were filled up, they would be irrevocable. The filling up constituted the passing, *quoad* the clauses so filled. He thought, they should examine, in the first instance, what alterations were contained in the bill with reference to the resolutions : he begged therefore to move, that the Court should adjourn to Saturday. He did not think that they could, with propriety, name any other day.

Mr. *Impey* said, it seemed to be agreed, on all hands, that they were not in a condition to enter into a discussion, either for the refusal or acceptance of the Charter, on the present occasion. The only question seemed to be, when they should be placed in a situation to come properly prepared to that discussion. He did not think they could proceed with it till they saw the bill with all its clauses filled up. If they made any debate on the bill, as it now stood, they would perhaps find, when it was passed, that it differed more from the bill laid before Parliament, than the propositions submitted by Lord Castlereagh, in March last, on the subject of the India question, differed from those which he had recently introduced. If they came to any decision on this bill before its full maturity, whatever clauses were afterwards added, however mischievous or obnoxious they might be to the Company, after giving their consent



to the skeleton bill, they would find the greatest difficulty in procuring any alteration, if indeed they could at all effect one. The period, then, to which they should advert, must be guided by the knowledge of parliamentary proceedings, and ought to be, when the bill had gone through a Committee in the House of Commons. If it were read a second time on next Friday (which must be a matter of mere accident, as some other business might interfere to prevent it,) it could not go into a Committee before Monday : and he would put it to any Member of Parliament whether it was possible to enquire into the details of the commerce of India and China, and all the matters connected with this extensive question, so as to get the bill through the House in less than a week. He therefore thought it would be better to leave it to the Court of Directors to appoint a proper day on which to discuss this measure. He would abstain, at present, from anticipating any of the subjects of discussion which would then come before the Court, but he would make one or two observations on what had already taken place, in order to add strength to what he had said. When it was first notified that Ministers had taken up the idea of opening the trade between India and the Out-ports, the Court of Directors came to a resolution that it would be a ruinous measure,

and one which they could not advise. This was communicated to the King's Ministers, but it had no effect. When the Court found that the Government persevered in their progress, they called on Ministers to state such regulations and restrictions as they had in contemplation, for preventing the evils which both the Proprietors and the Directors had predicted of the new system. To this request the Directors never could obtain any satisfactory answer: they were therefore obliged to come to a decision, on the bare, unlimited question, of opening the trade to the Out-ports. This Court came to an almost unanimous opinion, in concurrence with the Court of Directors, against the general principle; but now they were told by the King's Ministers, that they (the Ministers) never intended, and that they never contemplated such an extensive opening.

If, then, the Company were mistaken once, he trusted they would not permit themselves to be deceived a second time. Let the Court see what Ministers really did mean—this they only could understand by examining the bill, with all its clauses, which would afford satisfaction to the minds of both parties and remove every particle of doubt. One of the evils which arose from this uncertainty was, that the confidence between the East-India Company and his Ma-

Majesty's Ministers had been destroyed; the good will of the Government towards the Company seemed to have been broken up, and *thirty years* intercourse, of mutual kindness and support, had ceased to be recollected. It was first proposed by the King's Government and communicated to the Company, to open the trade between the port of India and London. The Court, confiding in his Majesty's Ministers; supposing they would adhere to their own proposition; believing that they had weighed their words before they gave them breath; assembled, and agreed to that which was submitted to them. Soon afterwards, however, Government turned round on the Company, and said—"we will not confine the trade to the port of London, it shall be open between India and the Out-ports:" and they called on us to accede to this proposal. Now, having been treated in this manner by Government, he called on the Court, not to act, in the present instance, till they perceived clearly what Ministers meant. Let the bill, with all its clauses filled up, be laid before us; and then let us decide. The principle of the measure had already been discussed by them: on that principle they had declared their opinion; but, before they came to a determination on the bill itself, he thought it would be better that Parliament should fill up

the clauses. No question ever depended more on the details than this—and when the bill came to be filled up, perhaps some of those points, which, in the resolutions, were matters of strong objection, might be, in a certain degree, alleviated. The original principle threw open the Indian territory to hordes of adventurers, who might destroy the peace and prosperity of that country. But if, when the blanks were filled up in the bill, it should appear that they would not be permitted to proceed into the country, unless by licence; and if it also appeared, that they were likely to be sent away for misconduct, would not the original proposition be greatly alleviated? In the same manner, the dread which was entertained, that great bodies of smugglers would insinuate themselves into the China trade, would be considerably alleviated, if it were provided that adventurers should not proceed beyond the Streights of Malacca. The same reasoning would apply to every other point. It was not the principle, but the details, that they now had to examine; and these they ought to be acquainted with before they decided on the measure. A very important subject had been alluded to by a gentleman who had spoken before him, namely, the opinion of the Directors. He (Mr. Impey) hoped, that when they came to

discuss those points which so deeply affected their interests and those of the country, they would still have the Directors for their faithful guides and counsellors, as they had had them in all the former stages of the proceedings. Great doubts had been entertained in that Court, whether, with the meditated alteration in our commercial system, India would be able to furnish the necessary annual supply, which was stated in Parliament to amount to between four and five millions. How the annual demands were to be discharged, was a most material question for the Company, and on that subject he hoped a distinct opinion of the Court of Directors would be given. If any retrenchment, in their civil and military expenditure in India, could be devised, by which means a fund might be formed for defraying their territorial demands, he hoped it would be resorted to. This was a point of very great difficulty, and required more time than the Court could at present spare, for the purpose of delivering an accurate opinion: but he hoped, and perhaps the sentiment he was about to express was felt by many Proprietors, that the opinion of the Court of Directors would be laid before that Court prior to their coming to a final decision on this most important question. It had been said in Parlia-

ment, that if the Company refused the terms proposed, their conduct would be contumacious. Now he begged leave, before the public, to deny that position. He begged leave, on the part of the Company, to say, that they had a right to judge of that which was most beneficial for themselves and the public. If the right hon. gentleman who made use of this expression, had been told, last year, when he chose to refuse an office under His Majesty's government, that he was contumacious, what would he have said? Would he not have stated, that when a great public trust was offered to be bestowed upon him, with limitations and provisions, that he had a right to consider whether he could hold it with honour to himself and advantage to the Country?—(*Applause.*) If he (Mr. Impey) understood the word, *contumacy* meant a pertinacious and obstinate adherence to a particular opinion;—but how did this apply to the India Company? Neither law nor reason could call on them to take the charge of governing India, without a fair prospect of reflecting honour on themselves, and of conferring benefits on the public.

He would most carefully abstain from anticipating any of the subjects of discussion which would shortly come before them; but there was one point on which he hardly knew whether he should say

a single syllable or remain silent. He meant a subject which was not then before the Court, but the discussion of which would take place that night in the House of Commons. He alluded to the 13th resolution, authorizing *Missionaries* to proceed to India to convert the inhabitants to christianity. This was a most delicate subject, and he should therefore only say one word upon it. For many years past a society had existed in this country for the diffusion of *Christian knowledge*. He believed, at and before this time, they were in the habit of going to India, and they were permitted to exercise their functions there, as long as they behaved with prudence. He knew of no impediment to prevent any man who harboured the pious design of enlightening the Hindûs from proceeding to India; but all this should be done with great caution; silently and without ostentation. He knew not the good sense which was manifested in blowing their trumpet before them. When the Court recollected what deep-rooted prejudices, on this subject, existed in the minds of the natives of India, and when they knew, that ill-disposed persons in that country were ready to blow up a flame, which, if once excited, could never be quenched but in the blood of every European in India, the necessity for caution and

circumspection became self-evident. Though he had not made this subject his study before, yet he felt it his duty, as a member of the Company, to say these few words. He hoped, on this point, they would proceed silently and quietly, and that nothing would be adopted which was likely, instead of allaying the old, to create new prejudices amongst the natives of India, the consequences of which might be so dreadful. (*Applause.*) He would now sit down, trusting that the Court would think it right to leave to the discretion of the Directors the choice of a period for their next meeting. 18728.

Mr. Puller said, the hon. gentleman who had last addressed the Court had mistaken his meaning. He never wished, when they discussed the principle of the bill, that the detail should be unnoticed; when he proposed a meeting on Saturday, it was for the purpose of examining the bill, and considering what details they might wish to have introduced into it. It now only remained for them to consider whether they would adopt the outline laid before them, and afterwards fill up the details as they could. When they found prejudice running so strongly against them, before the passing of the bill, was it not more prudent, to state what they conceived to be the best mode of filling up the details, than,



after they had been filled up, to take a ground which Parliament might finally choose to reject? Should not the Company rather endeavour to lead the Committee, instead of giving the Committee an opportunity of leading the Company. — Stating the sentiments of the Court upon the details would be a sort of guide in directing the progress of the bill through the House of Commons.

Mr. *Villiers* said, he should not have taken up the time of the Court, as he was not in the habit of addressing them, and was aware that nothing which he could offer in the presence of gentlemen of much greater abilities than he could boast, was worthy of their attention, had he not been desirous of making a few observations on what had fallen from the hon. Proprietor who spoke last but one. That hon. gentleman had not adhered to the principle which he had, in the outset of his speech, recommended. He had entered upon a subject of very great importance, and he had introduced it in such a manner as to prevent and bar other gentlemen from delivering their sentiments upon it. What he had offered on the subject which he had touched upon in the close of his speech, was calculated to create a considerable prejudice, as every opinion coming from a gentleman

of such abilities must necessarily do. He (Mr. Villiers) would follow the honorable gentleman's advice and not his example. He would abstain from enquiry on the subject; he would only say, that the very proposition itself had been rather mistated by that honorable gentleman. Whenever the proposition came regularly under the consideration of the Court, as it was a matter of more than common importance in every point of view, he hoped the discussion would be guarded and moderate: he hoped the view taken of the subject would be very different from that which might be collected from what the honourable gentleman had thrown out. (*Applause*). On another point, which was matter of opinion, he would shortly state his sentiments. Two modes were proposed, with reference to the day to which they should adjourn. The one was, to wait till the bill had gone through a committee, to let the other party complete the measure, so that in no detail could it be altered; and then to declare, that we would accept or reject it *in toto*. This was the plan proposed by the honorable gentleman on his left (Mr. Impey). The course submitted by the Chair, and supported by the honourable gentleman to his right (Mr. Puller) was this;—"Discuss the principle now, and then you will be at liberty to state what points

of the detail you lay particular stress upon. This the Court might do in the strongest way imagination could suggest: they were at liberty to occasion an alteration in the terms; they might then say, that they either would reject the bill, or that they could render its clauses admissable by alterations. This he looked upon as the preferable mode.—In the other case it was a sort of gambling discussion. “Let Parliament,” said the supporters of that mode, “fill up the clauses, and make the bill as bad as it can be made, and we then may reject or adopt it *in toto*.” Standing in that Court as Proprietors, and being allowed the greatest latitude of discussion, it was in their power to signify to their Directors and friends what were the points which they would give up, or which they would not concede. This they could only do with effect, before the bill went through a Committee. There was one thing which, as it made a very great impression on his mind, he would notice, namely, that no set of Proprietors were ever represented with more zeal, ability, or fidelity, than they had been in the course of this negociation, by the Court of Directors. He did not say this, as meaning to adopt their sentiments, or to concur with them on any point which he was not convinced in his own mind was correct: he merely wished to state, unconnected with any

future circumstance, that no elective body ever served their constituents with more fidelity, discretion, or zeal, than the Court of Directors had served the Proprietors. (*Applause.*)

Mr. *Impey* observed, that the principle of the bill had been debated already :—he had taken a part in that debate, and the Court had decided against the principle. The details then were all they had to consider. These they could not know until the clauses were filled up. They would then be enabled to judge whether the mischiefs they apprehended were so far arrested by the details, as to warrant them in accepting the bill at all. If he had the slightest hope, that any clauses which would be introduced would have the effect of removing the principal objections to the bill, he should not oppose the adjournment till Saturday ; but he confessed that he had no hope of that kind ; and, therefore, he could wish to see the bill when the clauses were filled up : they could then at once judge whether it should be refused or not.

Mr. *Villiers* said a few words in explanation.

Mr. *Trower* agreed in the clear statement made by the hon. gentleman on the other side of the bar (Mr. *Impey*). The principle had been debated over and over again in that Court. It was now entirely a question of detail, and they might

incur a considerable loss, by acceding too soon. The principle would be objectionable, or otherwise, to the Company, in proportion as it was qualified; and, therefore, till they saw the clauses, it would be unwise to come to a decision. He trusted that the Court of Directors, who had hitherto so ably guided the interests of the Company, would still continue, by their wisdom, to enlighten the proceedings of that Court. The ability, integrity, and perseverance, they had already shewn, entitled them to the full confidence of the Proprietors, and eminently qualified them to come to a decision. The subject touched upon by the hon. gentleman (Mr. Impey) was evidently one of very great delicacy; but it ought not, on that account, to be examined less accurately. They ought not to be precluded, by that consideration, from fully investigating it: on the contrary, they should look into it more minutely. It seemed to him, that when all other classes of people in the state were expressing their opinion upon it, the Company, who were so much more interested than any other body whatsoever, should also come to a decision, lest they might become party to a policy, which, if persevered in, would perhaps accomplish the ruin of the Indian Empire. They ought to determine on recording their sentiments, as well as the other classes of

the community. The tables of both Houses of Parliament were laden with petitions on the subject, and it was unreasonable that they should be afraid to state what their feelings were on a measure of so much importance. The hon. gentleman concluded by seconding the proposition of Mr. Impey.

Mr. *Randle Jackson* said, it was with very great pain he differed from his honourable friend (Mr. Impey). Dissenting from such opinions, he felt the extreme difficulty of advancing his own, in opposition to the sentiments of a gentleman, whose invaluable assistance had rendered such transcendent, such inexpressible services, at the bar of both Houses of Parliament, in supporting the interests of the East India Company. To his knowledge of East India affairs, and to the adroitness with which he shaped the whole of his interrogations, they owed much of that enlightened body of evidence, which was now placed on the table of both Houses. When that evidence came to be read (for it was not yet generally read, and 'least of all, he believed, by those who presumed to decide on their fate) it would exhibit a monument of the justice and honour of the Company;—and perhaps turn the mind of the people from its present unfavourable bias, before

it was too late for the Company to avail themselves of their assistance. (*Applause.*) He dissented from the proposition, "that the Court should not consider the bill until it came from the Committee, because they should then see a full measure before them, and could say *aye* or *no* distinctly to it." If the meeting of the Court, on Saturday, must be, of necessity, for the purpose of saying *aye* or *no* to the measure at large, he would then say, "let us wait till it has gone through a Committee, and the clauses are all filled up." But he was not without hope that the bill would be of such a nature, that certain alterations might be introduced into it, before they were called on for the final, unalterable *aye* or *no* to the question; therefore, he thought it was no more than consistent with common prudence, to take the first opportunity of examining it. If Ministers gave any intimation to the Company to introduce particular alterations in the Committee—if they should be willing to accede to such wholesome provisions, as his hon. friend (Mr. Impey) had spoken of, the Company would be placed in a much better situation. But if they continued to hold the advice of the Court as cheap as they had hitherto done—if they adhered, in the Committee, to every thing that was obnoxious in the bill, he would put it to his

hon. friend, whether they would not, with more dignity and more propriety, signify their negative to those principles in the bill, in its original shape ;—therefore, Saturday appeared to him to be the preferable day. They would then have an opportunity of seeing the bill after its second reading ; and they must all be aware that a bill, in such a stage, would contain more than the mere naked principle on which it was founded ; for that principle they were accustomed to look in the preamble. It might then happen, that the observations thrown out in that Court on the subject—it was possible that the suggestions which might originate there—would be attended to by Parliament, and the measure might ultimately, in consequence of those hints, be made safe and wise to accept, under all the circumstances. He did not mean to say that it would be so ; and no man was more ready to give his negative to an inefficient measure than he was, because it was paltering with the Company and the public ;—but he would meet it in every stage ; he would let no opportunity escape which afforded the least chance of improving it ; and, after all, they would have to consider whether it was such a bill as, under *any* circumstances, they could accept of. \* If they waited till the Committee had stated their opinion, in addition



to that of the country; if they waited till the bill was printed with the clauses filled up; what possible chance was there, that they could procure an alteration in any of its details? When it went through a Committee, that pertinacity which adhered to principles, however unwise, would be pledged to support them. The Court might then suggest whatever emendations it thought proper, but false pride and folly would say, "no, we cannot attend to these alterations; we are already pledged to a different principle." If, on the other hand, they discussed the bill before it went into the Committee, they would have the chance, by pointing out any apprehended dangers, and by appealing to the good sense of those who were not completely prejudiced against them, of procuring an alteration in some of the particular details. Without going at large into any point which would be discussed hereafter, he could not help taking advantage of the opportunity which the statement of the hon. Chairman had given him, for the purpose of making a few remarks on the general question: and he conceived, by deliberating on the present occasion, they would come to a better understanding of the subject, and be the more able to decide with correctness and precision. This, he recollected, had been the effect of a previous debate, at a former period.

He did not think there was a single individual in that Court who was disposed to concede a *scintilla* of the Company's rights; but, at the same time, it was evident, when the bill came before them, that their sole option would be, of two evils to chuse the least. He did not mean to say, that they would be able so to shape the bill, as to render it worthy of acceptance; but, of this he was sure, that, under the provisions which were at present contemplated, it would be useless for the Court to accept a Charter, which would merely have the effect of putting off the fate of the Company for a few short years, (for the sake of providing for certain interests unconnected with them), and would still farther exhaust their capital. At the expiration of that time, when the Company found they could not proceed, and, in consequence, applied to the Government for relief, Ministers would state very coolly (for the charm was now broken — they perfectly saw what Government was made of) that, as the India Company had already given up so much, there was very little left for dispute, and, therefore, dispute was superfluous. It would then be too late to say, as a reason for the Charter not having answered its end, that the Company would not have taken it at all, and they not supposed that Government would have

made some alterations in it, to render it better than it originally stood. It would be then too late to say, that the Company had been deceived in their expectations. It would then be too late to say, that those, under whose auspices the territorial revenue had increased from six to sixteen millions per annum; who ruled, with wisdom, sixty millions of subjects; and who, from the declaration of Ministers themselves, were admitted, so to have conducted themselves in their political functions, as to have produced all the great ends of rule and government, "*prosperity to the state and happiness to the people.*" It would be too late for them to say, that their views were disappointed, and their hopes destroyed. The present time, however, was theirs, to deliberate and to act. Such a series of continued revilings, rude clamours, and indecent treatment had been recently poured on the Company, as even malversators, and those who had defrauded the public, very seldom experienced. When they read the debates in Parliament, they might almost suppose, that the criterion by which the excellence of an orator was to be estimated, was to be found in the sarcasms which he made use of when speaking of the Company. He was hailed as the genius of eloquence, who could pronounce the best joke at their expense. A live-

ly witticism, and a well turned epigram, were considered as very efficient substitutes for *Asiatic research* and a *knowledge of Indian affairs*.—

(*Applause.*) But even those who were most loud in their applause on such occasions, were compelled to hear, with awe and respect, the speeches which were delivered by some of their Directors; speeches, remarkable for a perfect knowledge of the subject, for perspicuity of arrangement, and clearness of comprehension. (*Applause.*) Yet such was the force of prejudice, that the cheers of those who must have been most enlightened by the luminous statements of the Directors (because they were very ill-informed on Eastern subjects), were exclusively confined to the harangues of those who attempted to make up for their want of knowledge on those essential points, by sarcastic remarks and unfounded assertions.

An hon. gentleman behind him (Mr. Davies) was pleased to notice a figure of speech used by the Company's opponents; namely, "that their lease is out, and that they ought to be treated like ordinary tenants."

There were two points that the Company's enemies had, he was afraid, with too much success, but with great injustice, succeeded in fastening in the opinion of the public, and in a con-

considerable part of the opinion of the House of Commons. *The one* "that the Company assumed to be the sovereigns of India;" and *the other*, "that notwithstanding the Company had no legal rights, yet they assumed to the public that they still possessed them." The former of these charges was as unfair as it was untrue; and the history of the East-India Company would shew the injustice of it. He admitted that if it were a just imputation, it might operate, in a manner not to be complained of, to the prejudice of the Company. This charge was evidently made by those who were the real enemies of the Company; and, like most of the others which had been brought forward in the general cry against their claims, was founded in prejudice, and in the absence of all reason and common liberality. It was therefore important to their cause to be generally known, that at no period during their transactions,—at no period throughout their history,—had the India Company affected to be the Sovereigns of India, otherwise than as sovereignty delegated to them by Act of Parliament. The cession of Bombay, the cession of St. Helena and of Madras, the statutes of William, had amply reserved the sovereignty of India to the King of these realms; and, therefore, it was wholly untrue to suppose that the

Company had assumed that sovereignty which the Legislature had expressly reserved to the King. But that they had been Sovereigns, in point of *practice*, was beyond a doubt; and if the Company were to attempt to deny that, they would be rebellious to the state, and act in a manner wholly unbecoming a Company in their situation. What was the test of that which was now asserted? The proof of government was the exercise of all the great symbols of sovereignty; namely, to make peace and war, according to the necessities of the government; to build forts and garrison them; to effect treaties; to raise armies and pay navies; and more than that, to coin money, and to have all fiscal authorities as to the measures of taxation. These were authorities—authorities not assumed, but delegated to them:—these were powers to be found in every statute that related to their domestic government: these were authorities that were not merely *permitted*, but *cast upon* the Company; and not to have exercised them, would have been almost tantamount to rebellion against the state. How they had exercised these authorities would be learnt from the testimony even of the enemies of the Company themselves. All and every of them could not but admit, that this power had been exercised by the Company

to the benefit and advantage of the whole Indian empire ; it was unjust and illiberal, therefore, to impute to them such assumptions, when, in fact, all that they had done was to perform the duty which had been thrown upon them by the Legislature of their country.

Could any thing be more obvious, than that this assertion has been made to place every obstacle in the way of the Company's contract with the Government ; to cool their friends, and heat their enemies ; an effect which, he was afraid, had been produced already to a most alarming extent. But, he trusted, the absurdity and the falsity of this assertion were established by a reference merely to the statutes and the history of India.

It was said, also, in the House of Commons, and that, too, by an high authority, " it is idle " for the Company to talk of *rights* : that they " have *no rights*." By one hon. gentleman, if he read the debates correctly, from which he took the opinion, it was asserted, " that they " had no rights, because their lease was out." The same assertion was reiterated by another right hon. gentleman, who " insisted that their " lease was out ; that they had nothing more to " say for themselves, and that they must go " about their business." Was it, he would ask, for such gentlemen to learn the great moral and

political distinction between *legal* and *equitable* rights? Had not men rights in conscience and good sense? Rights in sound policy? and rights in law—available to them hereafter? It must be the height of hypocrisy for such persons to affect ignorance, that the Company possessed some such rights as these; and it was equally as unjust for them to say that the Company had urged those rights, in any way inconsistent with the principles of justice and conscientious integrity.

What was the nature of those equitable rights, of which the Company desired to avail themselves, and on which they had a just ground of claim? It was this: that they had incurred originally those enormous expences which they must have incurred, to bring India to the state in which it at present was, from the assurance and upon the promises of this Country, that they should go on as they *had* done, and that they might not entertain any apprehensions of a change of system to their disadvantage. It was under these promises and these inducements that the Company had expended such minds of wealth upon the improvement of that which was now called "*a leasehold*," and which was to be so violently wrested from them without an equivalent, and without remuneration for that value which their exertions alone had given to the



Indian empire. For more than a hundred years were these assurances renewed to them; and during all that period, their expences had progressively increased; and their services to Great Britain advanced in their importance. Since *this* Charter alone,—since the Charter of 1793,—the supplies of ships which the Company had brought forward, the equipment of armies, the money raised, and the regiments paid, exceeded almost all calculation; and these vast exertions were made, not merely for themselves, but for the interests of that Government and of that Country now about to deprive them of their well earned claims upon the consideration of the Legislature. There could be no doubt about the truth and reality of those services, because they were performed, as it were, under their very eyes. They had sent out a Governor-General, who was a spectator of those great exertions, so generously and so willingly made. They had spent upwards of two millions of money in the improvement of that leasehold estate now to be violently taken from them, every farthing of which, if their *landlords* had the honesty, as every *honest landlord* would, they would repay them, or at least give them some equivalent for those resources, almost exhausted in benefiting that estate. It could not be too strongly

impressed upon the minds of the legislature and the country, that these expenses were not incurred to answer views and ends of their own, but in consequence of their connexion with Great Britain: and yet, whatever advantages was to be derived from those institutions they had erected, and those systems they had adopted, they were now to be deprived of them by that ungrateful country, for whose advantage, and at whose instance, those measures were undertaken. They had seen the Company equip armaments which cost them £150,000; they had seen them erect a college, which cost them £150,000 more: they had derived the most important advantages from their finances; and in the general military array of Great-Britain, they had included those very troops which the Company had paid and clothed; and yet, notwithstanding all these advantages—notwithstanding that their improvements, towards which no quota nor any contribution was paid by the country, those very persons who knew all this, *lisp*ed out in the most insulting manner—"oh! your lease is expired, and you have no rights!"

Such conduct as this would not be endured between individuals. No landlord in private life dare say to his tenant, "Sir, it is true that you have expended a vast deal of money in improving

this property: it is true that I have lulled you into security; and that under that assurance I have given you, of a continuance of possession, you have gone on the increasing value of my property; but now your lease is out; you have no right to claim any thing from me, and you must go about your business." If any man were so to act in private life, he would be scorned from society: the injured man would have his remedy, and the courts of justice would do him that right so improperly wrested from him. Would not,—he would ask—every man with the least morality, or the least notion of common honesty, be shocked at such conduct in private life?—And yet the case, arguing from individuals to generals, was precisely that of the East India Company.

Such being the case, he begged leave to suggest, as the alternative (which he had wished they had an opportunity of adopting before, by their being at once undeceived in those false hopes and expectations they had formed)—that they would either submit to remain the dupes of that fallacious system into which they had been lulled, or that they would at once decline terms so disadvantageous to them, and manfully come forward, and rest upon their own resources.—It was true the Company had been guilty of

great follies in this respect; but they ought to take a lesson from the *past* for the *future*. Better for the Company to know the worst and act upon it, than be continually employed in warding off a blow which must fall at last. If they manfully met their fate *now*, they would not *then* have to deplore an useless exertion of strength in a struggle which must terminate, with moral certainty, to their destruction. Should they still go on in the same way for twenty years longer, they would put that in peril which they might now rescue with safety and advantage to themselves; while a continuance of the system, such as proposed, would only exhaust their means without the hope of bettering them. But the most vexatious of all would be, that at the end of that period, they would be finally told, "Gentlemen, *your* lease is out, and you must shift for yourselves." If the Company gave up great chances of advantage, he was perfectly satisfied that they also gave up great liabilities to losses and unprofitable expences. It would be the height of impolicy, therefore, to endanger their own safety, by continuing to incur expences which, in the end, could be of no profit or advantage to themselves. They would be only exhausting their resources for the advantage of future tenants; and, if they were wise, they would give

up such a ruinous system, whilst they were yet strong. When he reflected on the services of the Company, he was shocked at that total absence of public morality, which sought to deprive them of that fair and equitable remuneration to which, upon every principle of conscience, they were entitled. The expences already pointed out, were the expences that were incurred at home. Let the Court and the country look to those they had incurred abroad. There they would find that the Government had been assisted by the Company with expedition after expedition; that there, the Company had not only exhausted its means, but even pawned its investments, to enable them to defray the charges of such expeditions: expeditions not for the advantage of the Company, but for the benefit of that Government which now, with so much injustice, tells the Company that "they have no material interest in the fate of India." In equipping armies and providing expeditions, the Company have exhausted £15,000,000 of its resources. He would admit, however, that at length (within two or three millions), they were repaid that sum; though it could not be denied, that for the first three or four millions, it was with the greatest difficulty they ever got paid at all. This, he begged to say again, was an expence incurred,

not for the Company, not for any view of their own, but in order to give Great Britain such a balance of power as would enable her to make a struggle with France to advantage. Yet it was a fact very well known, that for the first three or four millions of this sum, they had to wait *eight or ten years*, before they could get it back. Beside this, the appearance of importunity in the Company going to Parliament, session after session, for the payment of this sum, not only involved them in inexplicable difficulty, but gave their rightful demand the appearance of a request for favour; their claim being, in fact, a matter of common debt.

He certainly would conjure the Court to reflect seriously upon all the difficulties, and weigh deliberately the circumstances of their present situation. They should consider well, he trusted, whether they would continue the Charter upon the terms now proposed, under so many disadvantages, whereby they would be annually involved in new difficulties, and perhaps finally treated in the manner he had described;—or whether they would decline such a bargain, and rest contented upon their assets and irrefragable rights? He would put it to the judgment and not to the feeling of every liberal and dispassionate mind, whether the reproaches so unhand-

comely thrown out against the Company, by those who opposed their interests in the House of Commons, were justly applicable to any part of their conduct? However, whilst he could not but feel that such conduct was inexcusable on the part of those in Government at the present day, he was bound in gratitude to acknowledge a different treatment on the part of former governments. In the administration of LORD NORTH, in the administration of LORD MELVILLE and Mr. PITT, they found the most friendly and liberal treatment; and the misfortune of it was, that the Company were lulled into a false security, and into a belief that they should always continue to experience the countenance and friendly offices of those in the administration of the public affairs. Such false security certainly rendered their situation infinitely more irksome and disagreeable; because it added the bitterness of disappointment and ingratitude to the ordinary effect of the evil. The Company were in the situation of a private person induced to rely upon the promises of a seeming patron and friend, and lulled into confidence and security by the assurance of his protection and support. The high honour and character of this patron is to him a sort of assurance that he never shall have occasion to repent his confidence in such promises: thus he goes

on, without guarding against the consequences of unforeseen events, or unimagined difficulties, and not until he finds himself in a situation of inextricable embarrassment and distress, does he perceive how ideal and imaginary were his hopes of support: not till then does he find out the folly of trusting to seeming friends, but concealed enemies.

Such was the unfortunate situation of the Company. In the hour when they expected to find protection and countenance, at the hands of those from whom they expected most, they were greeted with the bitterness of disappointment and ingratitude. He hoped, however, it was not now too late to turn aside from a course which would be ultimately ruinous and destructive. He saw resources in the Company's character, in their wealth, in their connexions, and in those rights—those inalienable rights which would still remain to them—from which he augured the most favourable and beneficial results. He hoped to find, that though they were no longer possessed of exclusive privileges, yet that their commercial corporate capacity would enable them still to flourish with credit and importance. It was useless, certainly, to sit down inactive, and deplore the hardness of their situation. They ought to exert their energies and resort to their own in-



ternal strength, to repel the evil that invaded their prosperity. The chief thing that was to be lamented was that they did not know their fate sooner, and that they were lulled into false security: but having come at last to the issue of the question, they were now seriously to consider that which was the real question to be determined; namely, whether they would accept the charter under the terms now proposed? or whether they would resort to that which was most worthy of their consideration, namely whether they would reject, with firmness and independence, the continuance of a system which would involve them in additional expences, without equivalent advantage, or trust, at once, to those high commercial privileges, which were inalienable from them, by every charter from the reign of King William down to the year 1793? The advantage of those privileges alone was certainly very great, and if properly encouraged and cultivated, would be attended with the most important benefits to the interests of the Company. From the experience they had had of late, it was impossible they could persuade themselves of a continuance in going on as they had done. Experience had taught them that they could have no security against the injustice which, if not now, would be, sooner or later, dealt out to them.

They had a right to think the worst of those with whom they had to treat. These were considerations, therefore, which, above all, ought to induce them to enquire into their situation, and ascertain the extent and strength of those privileges, of which the grossest stretch of injustice could not deprive them. It was not an improbable thing to say, that even *yet* the superior commercial advantages possessed by the Company embraced sources of future prosperity, if not commensurate with the past, at least encouraging for the future. It was not an improbable thing to say, that paramount superiority in all their undertakings, even when opposed in the market by the most active exertion of strangers, would await them. If the Company were to say to this ungrateful Government, we shall have nothing to do with this new charter, because, at the expiration of it, we shall be told the same thing *then* that we are told *now*; we shall be then subject to the same reproaches and the same unjust attacks upon our character; and finally, we shall have, perhaps, some further measure of injustice and ingratitude added to the total deprivation of exclusive privilege. If the Company were to say this, they would act with the spirit of men conscious of their own honourable character and superior integrity, and with a lively feeling

that they were not yet degraded enough to submit to every humiliation their opponents might choose to impose upon them. Better for the Company to do that *now* which, at the end of *five years* more, perhaps, when their means were exhausted, or their strength weakened, they might be obliged to do, in order to avoid ruin and fatal disaster to their interests. Let the Company, therefore, he said, resort to their own energies; and exercise, with spirit and activity, those means, of which they could not be deprived without a violation of every principle of law and justice. He invited the Court to see what the consequence would be, if the terms proposed by Government were rejected. It was true, that after their exclusive privileges and their Charter should expire, they would still remain, in perpetuity, a trading corporation. Notwithstanding the termination of their exclusive privilege, they would still have the liberty of trading to the East Indies, of trading to Africa, and of trading to South America: a field open for the most successful speculations in commerce, and which, he trusted, would be attended with those advantages described by an honourable Baronet in the House of Commons. Still those advantages were the Company's. The China trade, as far as he had learned hitherto, was also theirs; and in

proof of the superiority of the Company in that quarter, he need only refer the Court to the evidence laid before the House of Commons upon that subject.

Such was the credit and character of the Company, that their very *marks*, upon the goods they sold, gave them the preference to the exclusion of all other traders. Such preference, he trusted, the Company would be ever able to maintain and deservedly enjoy. When he considered the superior advantages of the Company, in point of character, connection, capital, and every other qualification necessary to the maintenance of a great trade, he apprehended very little danger to their interests from competition. If they were deprived of exclusive trade, still they had their ships ready to renew the commerce with increased energy and exertion. They still had their old customers and connexions, who, from a principle not only of gratitude, but from a conviction of the honour and integrity of the Company's character, would continue their countenance and support. The evidence before the House of Commons bore ample testimony to the high character and credit of the Company in the East. These, therefore, were advantages, of which it was impossible to deprive them by any art or ingenuity: these were the advantages

which their corporate capacity would enable them to enjoy, after their exclusive Charter expired. It was a gratifying circumstance, also, to reflect that in the very nature of things, they could not want capital to carry those advantages into effect. Such was the character, such the credit of the Company in the estimation of the public, that he was persuaded the Company could raise, by subscriptions, any sum they wanted, to carry on their commercial speculations. He would ask any person acquainted with commercial life, how long he thought the Company would want a million of money, to be subscribed by the merchants of the city of London, and elsewhere, to embark in an adventure of that description? In their very credit and character alone the Company possessed advantages equivalent to actual stock and capital. Therefore he thought that the Company, merely as a mercantile Company (political power out of the question), might not only exist, but succeed in its undertakings, with advantage to itself and the public. It was fitting, however, that the Proprietors should understand that it was not from a sense of *danger*, but from a sense of *duty*, and from a conviction of the necessity of the measure, that he would be induced to relinquish this Charter altogether. It was also highly necessary that the Public and the Proprietary

should completely understand, that the Company were not in the state of persons whose humble situation doomed them to endure with patience and humility whatever contumely and insult their enemies might think proper to cast upon them. It was proper to be understood, that they were not persons in such lowly circumstances, as should induce them to accept, without murmur or complaint, a Charter so shackled as that now offered to them. They were in a much better situation ; and fortunately for them, it was in their power to act with a spirit and firmness suitable to the character they had hitherto sustained throughout all parts of the world : they possessed means of commerce, and resources which had been accumulating to an enormous amount, and which nothing but the exertions and the industry of one hundred years could have brought together. At the same time, however, he had confidently hoped, that Government would have adopted a different policy from that now proposed to be carried into execution ; for, in his conscience he verily believed, that any vital alteration in the present policy and government of India was not only inconsistent with the interests of that Empire, but fatal to the rest of the country in general. He would not say that we might have a more wise Government, but he certainly did wish the

Company had to deal with a more *just* Government. There was no excuse on the part of that Government for want of power to do justice; because every one knew that there was no proposition, not inconsistent with the general welfare of the empire, which His Majesty's Ministers could not carry if they chose. But, at the same time, whilst he regretted that Ministers had treated the Company in the way they were treated by the bill brought into Parliament, and by which they had no legal power to draw the line, he would at least do them the justice to say, that if they did act unjustly, and perhaps impolitically, they observed in the manner of it, a course of behaviour far different from that adopted by that description of persons known by the name of *opposition*. But indeed it could hardly be expected that they should experience a different treatment from *their* hands, when it was recollected of *whom* that opposition was composed, and what the principles were by which their conduct was actuated: however, he would say, that there was nothing which his Majesty's Ministers could not do in Parliament consistently with the safety of the Empire, if they felt that justice and sound policy ought to be the principle upon which the subject of the East India Company's Charter was to be considered. It was true, that

they might meet with considerable opposition from that quarter alluded to; but, at the same time, if they had the *will* they had the *power* to do justice. From the manner, however, and from the gracious deportment which marked their conduct, he still hoped much, and he did not yet despair of some remediable alteration in some of the great points of the bill now under the consideration of Parliament.

Certainly there was *one* point for consideration, upon which the question, *whether they would accept the Charter*, must mainly depend. It was fit that upon *that* point they should not merely have the *simple assurance* of Government, but that the Company should be secured by an *absolute moral certainty*. With a view to the proper understanding of this question by the Proprietary, it was highly important and necessary that they should be favoured—not with a formal resolution and general declaration of the sentiments of the Court of Directors—but that they should have their opinions, *seriatim*, upon a proposition so deeply affecting the interests of the Proprietors, and upon which it was impossible for them to come to a satisfactory opinion until the sentiments of the Directory were fully known upon that subject. He trusted, therefore, that the Court would be favoured, at some convenient



opportunity, with that declaration of their sentiments, which would enable the Court to see their way clearly upon this question; for without them, he confessed, the Proprietors would be unable to come to their decision upon the main question, *whether the Charter ought or ought not to be accepted?*

The proposition he alluded to was, that unless the Government would introduce into this bill some guarantee with respect to their dividends, in case those views of profit and advantage which the Directors had impressed upon their minds should not turn out to be well founded, it was impossible, he conceived, that the bill could be acceptable to the Proprietary. Without that guarantee, it would then indeed be a most important consideration, whether they should not break up at once, and content themselves with their commercial corporate capacity and investments, or whether they would continue to go on in the way proposed, with the moral certainty, perhaps, at the end of three or four years, of having no sort of security whatever for their dividends. In this point of view, therefore, the question deserved the most serious consideration. It was important that this point should be secured and ascertained *now*, when they were in a condition to make terms and secure themselves

against loss, and not to postpone the consideration of it until a period when it would be too late to retrieve their error.

That Government should guarantee the Company, was a proposition which could be attended with no objection on the part of His Majesty's Ministers. Whilst *they* run no risk in granting such security, the Proprietary, by its being withheld, were exposed to every imaginable danger and uncertainty. Nothing could be more safe or equitable to both parties. It was perfectly safe and acceptable to the Government, because they only appointed the Company as the servants and trustees of the possessions in India. There was only a certain term given them for their continuance in India; and *that*, without the advantages which they had hitherto enjoyed. The situation of the Company, by that appointment, exposed them to all their former responsibilities, without the means of making good that responsibility. The Government said, "we appoint you trustees for a certain number of years longer;—we give you, (what some persons, said the hon. gentleman, with a great deal of truth, but with some waggishness, called) a *burning out* charter." They said, "we appoint you trustees of the public's security, and for the administration of the Indian Empire. We do it on this ground—not because we have any of

fection for you, or because we care a farthing about your interests and welfare, for we pay no sort of attention to that sort of argument; but we appoint you the trustees for the administration of the Indian Empire, because we think you will do it better than any body else, and because we know you have already done it better than any body else could do it. We acknowledge you have been wise counsellors and governors. We put this trust into your hands because we know the wisdom of your policy;—because we know that peace, tranquillity, harmony, and good order, have attended your magistracy; and because we know, that when the government is in your hands, we need entertain no alarm for the safety, the security, and the welfare of the Indian Empire. It is *therefore*, and not from any favour we wish to do you, that we cast upon you the administration of the Indian Empire for twenty years longer. We appoint you *thus* for the security of the Indian Empire; but we appoint you merely as trustees: not as trustees, however, receiving an adequate remuneration for your pains, or who shall have discretion to act for yourselves. You must not talk to us of *your* trade, or of *your* controul over *your* finances: we shall deprive you of the *one*, and cramp your power in the *other*. To your *commerce* there shall be an end,

and to your *controul* we shall add so many shackles as to render it rather a *burthen* than a *boom*. Even in the education of your youth, we shall suffer you to have no controul; for we have taken your *college* to ourselves."

Now, all these things were told, not only *virtually*, but in *terms*, to the Company. What the Company ought to say, therefore, he (Mr. Jackson) would contend, was this:—"We demand, in return, security against the possible consequences that may result from our responsibility as trustees. If you chuse to guarantee us as trustees, we will *be* your trustees: Do not call upon us to administer these high functions, these responsible, these onerous functions;" for he (Mr. Jackson) would contend they were such in every point of view wherein they could be considered; and they were the more onerous, because there was no equivalent advantage for those who exercise the trust. "You appoint us as trustees, undoubtedly, as honourable men. We will act *bona fide* according to your appointment, provided you guarantee us against all the risks of so responsible a situation: but if you refuse so to do, it is impossible *we* can take upon ourselves so burthen-some a trust." He (Mr. Jackson) denied that it was possible the Company could take such a

heavy responsibility upon their shoulders without a sufficient guarantee: and *now*, he contended, was the time to insist upon that provision in the bill; because if not *now* demanded, the repentance, which would assuredly follow the neglect of such security, would come *too late*.

Nothing could be more equitable, than that the Government should guarantee the Company. The thing spoke for itself; because if Ministers took the power into their own hands, the least that could be expected was a guarantee, in return, to the Company, for the risk they ran in taking upon them the trust. They called upon the Company to enter into political engagements on *their* account; not on their own, he would say, certainly. Surely, then, and without doubt, they ought to guard the Company against the consequences that would most likely follow the administration of the Company according to the Government's own directions.

Now, how could this be done? upon what principle and terms could this guarantee be given to the Company? The answer was very simple, and the proposition that would follow was equally facile of execution. The capital of the Company was £12,000,000. Their assets, including their shipping, amounted to that sum. There were other items, with which, however, he would not

trouble the Court, that would augment the amount of that sum : but he would simply suppose that their capital amounted only to twelve millions, they would have a right to return that sum to themselves. He would suggest, then, that the Company should have a loan upon those assets by way of guarantee fund ; so that there would be an application of those assets for the public security.

Some such security as this was absolutely necessary ; for how was it possible that functions, such as those he had described, could be exercised by the Company, without being protected from the consequences of those acts done in conformity to the will and pleasure of Government ? Government, he might be told, would not be backward in relieving those wants which the administration of the Company might create ; and that, therefore, there was no occasion to trouble themselves about the matter until the moment of necessity arrived. For his own part, he thought the promises of Government upon this subject, if they were sincere, had better be secured by the solemnity of an Act of Parliament. He doubted not the sincerity of the present administration ; but he was afraid that the mere verbal assurance of the government of the present day would be but a frail security against a change

of opinion in themselves, or a different sentiment in those, who might be in power, when the period of necessity should arrive. If Ministers *meant* the thing, they could have no objection to make their *meaning* LAW : they could not hesitate to make such guarantee a provision of the statute, by which their Charter should be continued. Simple promises would be but a very unsatisfactory security for the solemn engagements imposed upon the Company. *Promises* of guarantee would be but a poor dependance for the Company, who would be obliged, in obedience to their trust, to embark in expences, and make contracts for the fulfilment of those engagements ; — engagements, he would say again, not for *their own* advantage, but for the maintenance of the *name* and *authority* of the *British Government* in India. Surely, it never could be expected, either in equity or common sense, that the Company could consent to stand unprotected upon the brink of such a precipice of such vast expence and responsibility. What were they called upon to do ? What duty was imposed upon them by this trust ? They were to administer the affairs of India, with all the appearance of splendour and power, belonging to an imperial government. By so doing, they must add to their expenditure, and keep up an establishment adequate to the

discharge of the increase of the functions imposed upon them. *This* preposterous proposition was propounded to them—that they must take upon them new expences and expose themselves to fresh perils, while at the same time their sources were to be diminished. Why, what would be the inevitable consequence of this? They would have again and again to subject themselves to those unjust reproaches with which Mr. Whitbread and other members of the House of Commons, had so frequently loaded them on former occasions, when by their necessities they were compelled to apply for parliamentary aid. They would be obliged, he said, to come to Parliament, year after year, for aid, by way of loan, for the payment of those debts contracted, *not for themselves*, but for the *services* of the *British Government* in India. Would not those very men, he would ask, who now talked of promising indemnity and guarantee, at the end of five years when they would be obliged to apply for such aid as this, turn round upon them, and with all the bitterness of invective, reproach them for their extravagance, and charge them with the hardest terms that could be found in the nomenclature of abuse,—with the violation and breach of that confidence reposed in them by the Government? It was wise, therefore, *now* to



anticipate such events and guard against their consequences.

But the argument advanced was, not "that we would not give you this security,"—the argument was, "what claim can you call upon us to make good?" "As to the administration of the affairs of India, what risk do you run by taking upon you the government?" They said, "there is no risk, we give you the *China* trade to enable you to carry on those institutions erected in India." He would call upon the Court to look at the *China* trade. How, he would ask, did it stand? He besought the Directors to recollect, that they had already declared, in the most solemn manner, with respect to the *China* trade, that unless that trade was continued to the Company with all its exclusive privileges, it was utterly impossible the Company could go on at all. *Was* the *China* trade, he would ask, intended to be continued to them inviolable? He would admit that the *China* trade was indispensably necessary to the very existence of the Company: but did this bill secure it to the Company? So far from it, there was a power given to the Board of Control to issue licences for ships, other than the East-India Company's, to go to the *China* seas: and yet, notwithstanding this—notwithstanding the Com-

pany was to be bereft of and rendered insecure in the most vital point of their existence,—any act of theirs in disobedience of the trust imposed upon them,—any declaration of theirs even questioning the expediency of the measures they were called on to execute, would be considered as tantamount to *rebellion* and *treason*. How was it possible, then, that the government of India could exist under such circumstances? He had no hesitation in saying that it never could. What security, he would ask, had the Company against an attempt to wrest from them even *the whole* of the China trade? For he confessed, on the firmness of Ministers they could have very little reliance. Was it too much to say, that the same clamour raised by the petitioners, and the same tumultuous cry which had extorted thus much from the Government, would, at no distant period, be used as the instrument of terrifying the Government into a scheme for the disfranchisement of the Company of every privilege it possesses? For his own part, he had little reason to hope that there would be a more lively sense of justice in the Parliament of Great Britain on *that* day than in the Parliament of the *present*. He doubted not that the same arguments would be applied *then* that were used *now* to divest the Company of their

rights, and that the same facile disposition would induce the House of Commons to yield up every conscientious feeling of justice. It was impossible not to foresee that this would be the consequence, in a few years, and that the Company would fall the victim of clamour and violence; it was unnecessary, therefore, to impress upon the Court the necessity of looking well to the consequences of any neglect as to the provisions of the bargain they were about to enter into. If Government really and sincerely meant to hold the Company out as the Sovereigns of India, they should, for their own sakes, as a measure of sound policy—they should do that which would give spirit and effect to an intention so consistent with the happiness and welfare of India. The measure he suggested would, in his opinion, give a consolidation to the whole fabric of the India government; while, on the contrary, the neglect of such policy would completely defeat the proposed advantages of the new arrangements. It might be certainly an act of wise policy to keep the China trade; but he confessed it was impossible, without some further security, for the Company to discharge its trust, with satisfaction to itself, and permanency to its establishments. He acknowledged, that if they were made secure and safe in this

respect, it would be mutually advantageous to the public and to the interests of the Company. If the China trade, together with the other advantages he pointed out were properly secured he was free to admit they would run no risk. If the Government *really meant* to do these things, they would make no hesitation in proposing to make them *law*. It was the duty, certainly, of this Court, as the representatives and organ of the Proprietary, to look with vigilance and jealousy to the interests of their absent members; and he trusted that, in what had fallen from him upon this subject, from the experience the Court had had of his conduct during the time he had been a member, they would acquit him of any thing like a *personal wish* or a *personal motive* upon the subject.

When the bill came before the House of Commons in committee, he entertained a confident hope that His Majesty's Ministers would not only feel the importance of this point to the interests of the Proprietors, but that they would examine carefully whether, consistently with the protection meant to be afforded to them, some enacting clause might not be introduced into the bill for the moral ascertainment of their security. Upon an occasion like the present, unavailing humility was not only idle, but unbecoming the

character of the Company. The experience of the last two months had given a pretty good lesson to the Company of the feelings and dispositions entertained towards them by some hon. members of the Commons House of Parliament. Little was to be expected either from their justice or their delicacy: and so firmly persuaded was he of the total absence of all forbearance, that even had the administration of the country proposed to take from the Company the thirty millions which it cost them to erect their establishments, without giving them thirty farthings in respect thereof, they would be hailed with *cheers* and *applauses* for their *patriotic* and *liberal* conduct! (*Hear! hear!*) They would be applauded to the skies for every thing but the common honesty of such a proceeding. He certainly did not want to reduce His Majesty's Ministers to any terms of humility upon this subject. All he was anxious for was the effect and spirit of the thing: all he wanted was security. Let the Government guarantee those assets to the Proprietors, and *he* was satisfied. Leave them the China trade, and he was satisfied. Let their assets be secured upon a proper footing, he cared not *what* footing, so as it was safe, and he was content. Those who knew him, knew that he did not care three rushes for himself personally,

whether the matter was settled one way or the other; but he conjured the Court to recollect that they were but Trustees for the absent Proprietors, and he need not remind them that without the revenue of the Company was secured their debts could not be paid. He trusted, therefore, that as Trustees, if not jealous of *their own* interests, they would secure, by all the vigilance in their power, the interests of *those* who, from their sex, their infirmity, or their distance from London, were prevented from attendance upon this momentous occasion. It was upon that ground alone that he conjured them to urge this to the administration, and to endeavour to prevail upon them to give this guarantee.

Should there be any difficulty started to the suggestions he had proposed, there was another mode equally as desirable, and perhaps less objectionable. The idea was contained in one of the resolutions read to the Court this day, which was to allow a guarantee fund to begin to accumulate whenever the debt of the Company should amount to £10,000,000. A plan, the excellence of which he had no doubt of, because experience had proved its efficacy. It would be most desirable to suffer this fund to accumulate, not only as it would afford additional security to the stock proprietors, but as to the effect it

would have upon the public opinion. The excellence of this principle was strongly manifested during the paroxysms of the French revolution, when notwithstanding all the shocks and violences of the times, the stockholder was perfectly secure and confident of the safety of the capital in India. Under every consideration, it became the Court to persist in some proposition of this kind, when he considered what danger and risk the stockholder had to encounter; and above all, the number of families, widows, and orphans, whose existence depended upon the security of the Company's means. Better, therefore, *now* to establish such security, than *wait* for *four* or *five years hence*, when they would be less likely to succeed in their application, and when the evil anticipated would perhaps have already arrived at an unconquerable height. Sure he was, that without such a guarantee, though they might keep off ruin, perhaps, for four or five years, it would ultimately come upon them, when they were unable to arrest it. He confessed that he had felt much anxiety upon this subject; and though there might be some difficulties started in Parliament, yet he hoped that the bill in committee would be so modified as to secure so equitable a provision for the protection of the Proprietary.

After having thrown out these few observations, he should now forbear going further at length into the subject until the bill should be in a more perfect shape. He should hope that the Court of Directors would listen to this suggestion, when they considered how much the happiness and the comfort of many hundred persons depended upon a due consideration of this subject. Doubtless, an alteration in this bill to the effect suggested would make it more equitable, and conduce more to the establishment and solidity of the British empire in the East. No man felt more anxious than he did for the interests and the welfare of the Proprietary; and whatever consideration of a disinterested nature might induce the Company to sacrifice much of *their own* interests, there was no principle of morality or of policy could call upon the Company to sacrifice the interests of the *Proprietary*, for feelings of that kind.

After apologising to the Court for trespassing too long upon their time, he concluded by claiming the privilege of delivering his sentiments more at large, when the bill came, in a perfect state, under the consideration of the Court.

Sir *Hugh Inglis* and Mr. *Hume* rose together; but the latter yielded the precedence—and Sir *Hugh Inglis* proceeded. He said he would not



## DEBATE AT TREE

**A**t the Proprietors at any length on the present occasion. The object of his rising was to ascertain clearly what the question was before the Court, if any question there was under consideration. He understood the motion proposed by the hon. Proprietor was to postpone the further consideration of this question till Saturday next. If that question was really before the Court, certainly he should be for supporting it : but he would not stop there. Before the Court came to a decision upon this great and important question, he would wish them to wait till the bill had gone through a Committee of the House of Commons, which he understood was intended it should do on Monday ; but he apprehended that a bill of that importance could not be supposed likely to go through the Committee in one day : therefore, when the Court should meet on Saturday, it would be for their consideration to adjourn the debate on their ultimate decision till such time as it should be likely that the blanks of the bill would be filled up. When the bill should come out of the Committee and all measures of importance contained therein should be adjusted, the regular course, he understood, upon questions of such importance, was, for the Committee to report the bill, and then for the House to recommit it again for further discussion.

When the bill should come out of the Committee, in the *first instance*, and during the interval between that period and its recommendation, it would be open to the observations and animadversions, if such were found necessary, of this Court. His learned and honourable friend who had just sat down, had, he confessed, taken so complete a view of the subject, that he had almost, he thought, left little to say in the debate on Saturday; but when the bill came out of the House of Commons there would be a very fruitful field of occupation for his luminous talents; and then he should hope that the observations to be made by gentlemen before the bar, and gentlemen behind it, would lead to an useful result. It could not be expected that, at *this moment*, he should give an opinion as to whether the Company ought to keep the China trade upon the terms proposed, because the Court had only a bare proposition before them; and it was only when the blanks in the bill were filled up, that the Court would be able to come to a sound decision.

He agreed with the hon. and learned gentleman, that it would be unwise on the part of the Company to accept a measure with restrictions and with defects that would completely defeat the purpose intended. But he hoped that the Bill

*might* come out of the Committee with such amendments and alterations as would induce the Company to accede to it. There were various reasons why the Company should accept a Charter, if it were possible they could do it with any advantage to themselves. He need not, however, point out to the enlightened body he was addressing, nor to the hon. Chairman, what were the motives that ought to induce them to go on, if it were possible to do so, with *any* advantage to themselves. Those reasons, perhaps, he might be induced to trouble the Court with on some future day; but, *at present*, he confessed it was rather desirable that the Court should *see* the Bill, as it would come out of the House of Commons, before they gave any *opinion*, and before they came to any *decision*.

Mr. *Hume* then rose. He said it was not his intention to have troubled the Court at all upon the present occasion, had it not been for some observations that had fallen from one or two gentlemen in the present Court.

They were observations, he was confident, which, if put to their candour, they would admit to be at least a little ill-timed; and as far as they went to calumniate gentlemen, who had the misfortune to dissent in opinion from them, upon a subject involving great opposition of sen-

timent on all sides : he confessed they appeared to him as unjust and ungenerous as they were ill-timed. It was natural on all subjects of this kind, involving so many interests and exciting so many of the prejudices of various classes of men, that there should be much and, he would say, well grounded difference of opinion. It was to be expected, that each party would express himself in as strong language as he possibly could. Probably some there were who might express themselves with more warmth and intemperance of manner, than propriety required: and he was sure, for one, that *he* would not have been pleased if this subject had been taken up and canvassed at the expense of candour, of liberality and temperance. But he was afraid that, if any where the charge of intemperance and unnecessary warmth was well founded, it would appear upon inquiry that it had begun on the side of those present in the Court: and therefore, whilst each party and whilst the Court itself differed in opinion from those out of doors upon this subject, they ought, at least, to make some allowance for the opinions of those who, from their high situations and responsible trusts, might be supposed to entertain some feelings of anxiety for the public interest, and for the advantage of the various interests con-

ected with the public service. He was, therefore, sorry that the honourable and learned gentleman within the bar (Mr. Impey) should have thought it necessary to avail himself of the present course of proceeding, to make so many superfluous observations, and to have attacked the conduct of His Majesty's Ministers in the manner he had done. He had stated, that the course of the Court's proceeding had led to a want of confidence between the two parties; namely, the Company and the Government. For his own part, he hoped that no such proceeding had taken place, to destroy the mutual confidence, that ought to subsist between those parties, upon a subject so interesting to both; and that His Majesty's Ministers would entertain a due regard for the welfare of the Company, and for the interests which the Company were charged to take care of. Experience had shewn, that Ministers were not blind to those considerations; and therefore he did think that it was a little too hard to be so severe upon them. For what did the honourable and learned gentleman say? He said they came forward to Parliament, first with *one set* of propositions, and afterwards attempted to introduce *others* highly disadvantageous to the Company. But surely, before they were convicted of duplicity, or before they

were charged with hard epithets used by the hon. gentleman, common candour and common justice called upon the Court and the hon. gentleman, to wait until they had every detail laid before them; and *then*, but *then only*, could they come to a fair and dispassionate decision. How was it possible for the Court to come to a decision until the details were before them? Common justice and common liberality demanded that they should wait until that period would arrive; but, at the same time, even if the materials upon which the hon. gentleman's opinion was founded were ostensibly before the Court, he should be unwilling to give *his* consent to those terms of reproach applied to the conduct of those in power upon this question. It was *hard* to hear it said that they had done nothing for the Company, and that in this and that instance they had actually betrayed their interests;—and it was equally unjust and ungenerous to say that, in the measures they had adopted, their sole object and wish was the Company's total destruction. Was it nothing, he would ask, to do what they had done to maintain to the Company the entire command of India; to allow them to retain possession of their forts, their armaments, and their military establishments? Was it nothing to

secure to them a Charter for twenty years longer, when their opponents and enemies were clamouring with violence for a Charter of only ten, or perhaps fewer years? Was it nothing to secure to them the *China trade* without any competition; at least in all the valuable articles of commerce. For his part, he would say that they had done a great deal for the Company; and in taking care of their interests in the manner they had done, they had gone a great way towards placing them in the possession of all their most important privileges. Little, therefore, did they deserve, in his opinion, those reproaches in return for the liberality the Company had experienced at their hands. From all that had passed, he would ask the Court whether they had any reason to believe, *two months since*, that they would have obtained such liberal terms as those that were now tendered to them? For his own part, he did not expect so favourable a result; and this result was owing to those very Ministers who were now reproached for not having done *more*. He was persuaded, that in the course of conduct adopted by Ministers, they were actuated by a due regard, not only for the interests of the Company, but for the nation in general. Had they acted otherwise, was it to be said that they would not have sacrificed any

interests whatever. The fact was, that public necessity and the urgency of the times, placed them in a situation of being obliged to do that which, however inconsistent with individual interests, was necessary to the general welfare. He was persuaded that every candid and liberal mind would do justice to the motives of His Majesty's Ministers, and acquit them of any intention inconsistent with the welfare of the Company, and a due regard to the necessities of the public: he was sorry, therefore, that this Court should *still* continue that system of intemperance which, he must say, had begun with them; and he was much more so, when he heard his honourable and learned friend near him (Mr. Jackson) assail the House of Commons *generally*, for the conduct and expressions of *one or two* individuals of that honourable House. Really, as far as his experience and knowledge of that House went, he was led to think that those reproaches were unjust, and that the imputations cast upon their conduct were not consistent with the experience every impartial observer must have had during these proceedings: and he could not help saying that it was even unjust to suppose that this was a contest between the *House of Commons* and the *East-India Company*. The fact was, whatever might be said to the



contrary, it was a contest between the *Public* and the *Company*. The offences of the public, if such they were, ought not to be charged upon the House of Commons. The intemperate language or the inconsiderate zeal of a body of people; perhaps not having a very clear idea of *their own* interests, were not to be made matter of complaint against a House of Parliament composed of men of superior talents, and incapable of resorting to those acts, which, in the understanding of every well regulated mind, must in the end fall neglected and despised.

At the same time, he must say that it was a little too hard to couple the assertions of one or two honourable noblemen or gentlemen with the general character and conduct of the whole House of Commons. He had too high an opinion of that assembly to think that they would be guided by any measures, but what appeared to them equally beneficial to the interests of the *Company* and the public; he would therefore presume to suggest, that it would be more decorous and more consistent with the general character of this Court, if hon. gentlemen were to withhold all assertions and statements respecting any language that may have fallen from hon. members of that house on that subject.

He was extremely happy to have this oppor-

tunity of noticing what had fallen from an hon. gentleman, upon a point which he (Mr. Hume) had, on a former occasion, troubled the Court. Though that hon. gentleman had not, as he (Mr. Hume) humbly conceived, brought the real state and merits of the case before the Court, yet he acknowledged that he had called the attention of the Court to his (Mr. Hume's) opinion, in which he was happy to find that hon. gentleman now concurred, upon a point *he* had brought under the consideration of the Court on a former occasion, and which they would find recorded in the report of the first day of these proceedings. On that occasion he took notice, that when the matter was considered, it would be acknowledged that the public would support his Majesty's Ministers in carrying into execution the measures they had proposed; and it would be recollected, that he had stated specifically and in every possible mode, as would be found upon the record of the Court's proceedings, that he wished the Court of Directors should have in view what his hon. friend had now brought before the Court, but in which he, unfortunately, was not happy enough to obtain the concurrence of the Court. It was certainly a subject he had felt much at heart, and he was the more happy that it should be brought under

the consideration of the Court under such circumstances, when he recollected with what coldness it was received when he had the honour of mentioning it on that occasion, that he wished most ardently that a guarantee should be demanded from the Government. He wished that the Court of Directors should declare that such and such were the opinions of the Court, if they carried their proceedings into effect. Experience had taught them, that they ought to be firm in their demand upon the subject; and he trusted they would turn that experience to an useful account. He would now declare, for his own part, without hesitation, and he trusted the Court would come to an unanimous opinion upon the subject with him, that if such proceedings and changes as were proposed in the East-India Company's establishments took place, it would be impossible for the Company to carry on their political functions without such guarantee. If the Court of Directors, and if the East-India Company in general, understood their own interests and meant seriously to consider them—which he was persuaded they wished to do,—he would venture to submit to this Court, whether they ought not to call on his Majesty's Ministers and say to them—"If you are determined to "insist upon possessing the trade to India, and

“if you insist upon possessing the trade of  
“China, to a certain degree, give us some gua-  
“rantee for our security against the consequences  
“of such privations.” This was a step which  
ought not to be postponed: it ought to be taken  
in the very beginning, when the causes arose  
which were to produce such important effects.  
Let the Court tell His Majesty’s Ministers this—  
“We are entrusted with all the functions of an  
“expensive government; we are about to be de-  
“prived of those commercial advantages which  
“have hitherto enabled us to support that  
“expensive government: now is the time for us  
“to look into the prospective state of our  
“finances—not what they may be in a year or  
“two, but to those millions of defalcation we  
“may be subject to, in a more advanced state  
“of our government: it is fitting, therefore, that  
“we should have some security—some guarantee  
“for ourselves.”

What had the Company to look to, in order  
to support them in the undertaking in which  
they were about to embark? From whence  
were the means to come which were to support  
them in their government; for they were  
parting with those very means necessarily requi-  
site from them to act? They had declared un-  
equivocally, that their commerce was reduced;

therefore, assuming that they had no commerce to India, which they did assert—but which, at best, was mere matter of opinion;—but taking the principle they had laid down, namely, that if they had no commerce they should be unable to carry the great operations of that body into effect, and that their commerce was actually reduced; surely then it was but fair, that they should look to those persons in Government who deprived them of the means by which they expected to be able to carry on their political functions. They should have called upon His Majesty's Ministers to give them that guarantee, which would enable them to answer those demands which must inevitably be made upon them. On every score of justice and reason they had claims upon His Majesty's Government for that sort of guarantee. They should have called upon them to guarantee those resources which had hitherto been applicable to the payment of expenses for maintaining the national greatness. If they had done this, they would not hitherto have experienced so much difficulty and embarrassment in the management of their affairs. Their own interests and the interests of the Proprietary, of whom they were the trustees, required that they should now adopt such proceedings as would guard them against the con-

tingencies of so important an undertaking. Happy was he to find that his learned friend concurred with him upon this point; although sometimes he had the misfortune to differ irreconcilably from his learned friend in some of his positions; happy was he that that honest gentleman saw this proposition in the same light; and he hoped that, before long, he should see those necessary securities for the Company's means, become a portion of the bill before Parliament;—means which were as essential and important to the Court of Proprietors, as they were to the Proprietors of India stock at large. Was it to be said in England, that a body of men, united, as they had been, for a number of years, embarking with cheerfulness and alacrity their capital, not simply to establish the possession of so many millions of acres of land, but to civilize and govern 60,000,000 of people in India—was it to be said that such a body of men, after so many important services, were to be left insecure in the payment of their dividends? Were they to have no hope of having their capital restored, by means defined and cleared of all uncertainty? Were they to be deprived of those hopes of security, which every man, in every situation of life, had a right to claim and expect for the safeguard of his property? Why, then,

deny *that* to the Proprietary of India stock which would not be refused to the meanest individual in the state? He was happy, therefore, that this had been suggested by his hon. friend; and he was more convinced *now* than *ever* of the obvious necessity of that security; and he should be ever happy to support any proposition for its attainment.

Now, as to the mode of the Court's proceeding, he would beg leave to say a few words. He could not agree with the hon. and learned gentleman behind the bar (Mr. Impey), that in no stage of the proceedings had His Majesty's Ministers shewn a disposition to hear advice or attend to the suggestions of this Court. On the contrary, their very first proposition was, in a word—"in consequence of the communications made to them." This very declaration was conclusive, that it was in *consideration* of the suggestions on both sides, that they had come to that resolution, which they thought best calculated to promote the interests of the Company and the country in general. The Court had the testimony of the hon. Chairman himself, in whose declaration he (Mr. Hume) perfectly concurred, that His Majesty's Ministers had yielded a great many points that they had not before meant to concede to the Company:

that they had altered many of the resolutions they had first proposed to introduce into the bill, with respect to the regulations for the conduct of the Company: he should wait, therefore, with anxious expectation, for the result upon the great point he alluded to; and he was sure that, if the hon. Chairman thought there would be any advantage arising from the mitigation of any of the provisions of the bill, he should think no possible danger could result from making the experiment. It should be recollected, that if His Majesty's Ministers had hitherto attended to suggestion and advice, it was not thence to be concluded, that if the Court conducted themselves temperately and moderately, any further suggestion would not be attended to by His Majesty's Ministers. For his own part, he did hope and trust that they would attend to that suggestion, and give it every possible weight and effect in their power.

It would be unnecessary for him, after having said so much upon this subject, to trespass farther upon the time of the Court; he should therefore content himself, for the present, with expressing his anxiety to see the blanks in the bill filled up. But he could not conclude without expressing his conviction, that if His Ma-



jesty's Ministers could be induced to adopt the suggestion alluded to by his hon. and learned friend, the bill, with a little alteration, would in his judgment be unexceptionable. He concluded by giving his vote for the proposal: that the Court should meet on Saturday next, for the purpose of further debating the merits of the bill.

The *Chairman*, for the sake of order, requested to know whether the motion for adjourning the Court till Saturday was seconded by any gentleman?

Mr. *Davies* said he would withdraw his motion, and would second the motion made for the Court meeting again on Saturday.

The *Chairman* begged to suggest to the Court that they were to have a quarterly meeting on the morrow; but he conceived that it was now only proposed to adjourn the debate on *this* subject to Saturday.

The question was then put, "that the Court do adjourn this debate till Saturday next," which was carried unanimously.

*Adjourned.*

SATURDAY, *June 26th*, 1813.

The Minutes of the last Court having been read, the *Chairman*, (*Robert Thornton, Esq. M. P.*) said, he had to acquaint the Court, assembled on that day, that they were met to take into farther consideration papers laid before them on the 22nd instant, of which gentlemen were already in possession.

#### BYE-LAWS.

Mr. *Lowndes* wished to be permitted to state what he considered a gross abuse. He was present, on the preceding day, when seven gentlemen were appointed to inspect the existing Bye-Laws of the Company and to form new ones. Now it should be recollected, that this Committee for the inspection of the Bye-Laws formed the bar between the Proprietors and the East-India Directors. It was their duty to prevent the Directors from invading the rights and privileges of the Proprietors; and such being the case, he would ask, was it fit or proper that these seven gentlemen should be elected when only six Proprietors were present. Without meaning to cast any reflection on those gentle-

men, he would merely observe, that if such a practice were passed over unnoticed, the Directors might send seven creatures of their own into the Court, to do whatever they pleased. An Act of Parliament could not be passed into a law, if there were but six or eight members present of the House of Commons;—unless forty members were present it could not become the law of the land.

Mr. *R. Jackson* said, that the hon. gentleman was quite out of order: he had introduced a subject which they were not called on to discuss. They were met there to consider the bill now pending in the House of Commons—and he submitted whether the proceeding of the hon. gentleman was not quite extraneous. It was unnecessarily taking up the time of the Court, which was extremely precious, particularly on that day, when many gentlemen, who resided in the country, had been obliged to come into town; and, therefore, he thought they had better proceed at once with the subject which they were specially met to discuss, then to enter on an examination of the Bye-Laws. The gentlemen alluded to by the hon. Proprietor were elected by a General Court, and he could not conceive on what grounds he could found any proper objection.

Mr. *Lounes* said, he knew not how he could be accused of having transgressed the bounds of order, when the Clerk had read as part of the proceedings of the last Court, that seven gentlemen had been elected for the purpose of inspecting the Bye-Laws.

The *Chairman* said, that the hon. gentleman had made the same objection on the preceding day, when there certainly was not a full Court of Proprietors. He was very sorry that it had so happened, but the Court was not numerously attended, when those gentlemen were appointed to examine the Bye-Laws. The Court of Directors, however, were not answerable for that. The business at present before the Court, which was of so much importance to the Company, he hoped would be now proceeded in, and that no farther disorder would be manifested, by entering on the discussion of a subject which was not regularly under their consideration.

Mr. *Lounes* said, he had no other way of stating his sentiments before the Proprietors, and of appealing to them, whether such a proceeding should be permitted. Why, he would ask, had not the intention of electing these seven gentlemen been inserted in the advertisement, by which they were called together to hear the amount of their dividend declared?

The Proprietors would then have had an opportunity of considering whether these seven persons were fit to form a Committee for the examination of the Bye-Laws. They had an example in the proceedings of the Legislature, that business should not be dispatched in so thin a Court.

Mr. *Impey* appealed to the good sense of the hon. Proprietor, and he certainly possessed good sense, whether he would go into a minute investigation of the Company's Bye-Laws, when the Court were actually met for the purpose of considering, whether they should any longer exist as a body.

Mr. *Lowndes* observed, that in order to exist as a great Company, they ought to respect themselves; and when persons were thus elected to an important duty, in a Court consisting of six Proprietors, it gave their enemies an opportunity of saying, that they did not attend to their internal interests as they ought to do.

Mr. *Hume* said, it was desirable to know whether there was any Bye-Law of that Court, by which they were restricted from proceeding with business, unless a certain number of members were present? If no such law existed, which he believed was the case, the hon. Proprietor was out of order in noticing the subject

as he had done. He ought simply to have given a notice, that, at a future Court, he would submit a motion relative to the irregularity which he conceived to have taken place.

Mr. Lowndes said, that, in conformity with the opinion of the hon. gentlemen, he would then give notice, that, on some future occasion, he would bring the question under the consideration of the Court.

## EAST-INDIA BILL.

Mr. Jackson said, that, at the last meeting of Proprietors, the hon. Chairman had taken occasion to remind them of the solemn circumstances under which they were met. If any intervening circumstances could add to that solemnity, these circumstances had taken place since that period: and, as an hon. Proprietor, (Mr. Impey) who spoke to order, had observed, they were no longer called upon to inquire into the observance or abrogation of any given law, they had now to decide on the question of their existence. He would assure the Court, that it had never happened to him to address them under circumstances of more commanding importance, or with feelings of more acute sensibility; for, though he was not a person of authority amongst them, yet he did feel, and

he should be extremely culpable if he did not feel, that many of them had honoured him with their confidence: and to those individuals, as well as to the great body of the Proprietors, he felt deeply responsible for every word of advice which he had at any time offered to them. If it were not superfluous in him, whose principles were so generally known, to speak of personal motives and private objects, he should, at that moment, make the most solemn appeal to the Court: he should state to them, that, as far as he could judge of his own heart, it had not a single bias. He acknowledged no other object, but to deliver to his co-proprietors the best advice—to point out to them the course which was safest, both for their interest and that of the public, with which they were so nearly identified. (*Applause.*)

On this day they were summoned to make observations on the India bill, as far as it appeared to them; and though he wished that those observations should be made with all temperance—though he considered this as a stage of the business, when all passion should be laid aside, and when reason alone should operate and bear the sway—yet he was desirous that a complete investigation of the subject should take place; divested, as far as the circumstances would allow,

of all warmth of expression, and evincing no heat of feeling, beyond what the case might really justify and require. He knew that he was addressing persons, who would act fairly up to their own interests, while they did not neglect those of the public; for they had always considered that an union of interests existed between them: he should, therefore, very shortly offer his ideas on the bill: and he would also examine the situation of the Company, as they stood subsequently to the negotiation, and previous to the bringing in of the bill; the situation in which they would be placed if the bill were passed into a law; and finally, their situation if they should think it necessary to decline the bill altogether. These were three situations of the highest interest to that Court. Incidentally, they might enquire, what were the best means of forming a judgment on the terms proposed to them; and they certainly ought to call on the Directors, before the blanks were filled up, to pronounce their fair sentiments on the question—not by way of resolution, but *seriatim*, and distinctly,—before they agreed to the measure proposed to them. Such solemnity of proceeding, he thought, was peculiarly called for, if it were true, of which he had no doubt, that the fate of sixty millions of persons depended on their final decision.



to The negotiation, before the bill was brought in, was precisely this :—The noble Lord who conducted the negotiation said, “there must be a much more enlarged and liberal extension of the trade to the private merchant.” This principle he stated to be “a *sine qua non*,” and he declared, “if the Company did not allow private traders, and private shipping, to proceed to India, he would not treat with them.” This was agreed to ; the Company understanding that these ships were to sail from the port of London only. As the negotiation proceeded, however, Ministers seemed to think, that this was too narrow a construction of the principle ; and they contended, “that private ships should have leave to proceed, not merely from the port of London but also from the Out-ports.” The Directors felt all the alarm that such a proposition was calculated to inspire. They stated, and they were fully borne out by the evidence, “that if such an extension were allowed, it would inevitably lead to so indiscriminate an intercourse with India, as would greatly endanger the British territories there.” Here it was that the Directors made their stand ; and it would be no unprofitable employment of the time of the Court, if he stated, though briefly, the terms in which they made

that stand. Having declared "that the bill  
" the monopoly would ruin the Company," they  
entered into a discussion with Lord Melville, at  
that time having only in their view, "the danger  
" of indiscriminate exports," not a word having  
then been said as to "a general import trade."  
At that period, when the Directors felt no apprehension on the latter point, because they knew of nothing but this "extension of the export  
" trade to the Outports," they thus expressed themselves:—"We desire, on the part of the  
" Court of Directors, distinctly, and in the face of  
" the country, to state this opinion;" (an opinion, it should be observed, not advanced without a conviction of its truth, to serve a particular purpose, but the solemn result of such knowledge and experience as the Court possessed) "that the  
" proposed innovation would lead to the destruction of the India trade, of the establishments and shipping of the Company, and  
" finally leave the China monopoly so open  
" to the speculations of illicit traders, as must  
" occasion its fate; and with it the whole fabric of the Company, and the immense revenue which is now so easily collected through  
" its medium, for the benefit of the State." It was for the Court now to consider, whether one iota of the fears thus expressed had been done away by the present bill: it was for them to con-

sider whether those fears had not been *increased*, first, by the original set of resolutions; next, by the series which followed them, and lastly, by the bill itself, which transcended them both in danger and mischief. Such as he had stated them, were the sentiments of those deputed by the Court of Directors to conduct the negotiation, coolly and calmly pointing out the dangers which threatened the Company—not (as he might say in another place) as the *advocates* of that body; but because they felt and saw the misfortunes which must arise from the alteration; misfortunes which, while they would utterly destroy the Company, must also greatly affect the Empire itself, and therefore they deprecated the interference of Government in so partial a manner. On the 10th of April, 1812, four days after this representation, Sir Hugh Inglis, then Chairman of the Court of Directors, had a conversation with the Earl of Buckinghamshire, respecting the situation in which the Company would feel themselves placed, if the export trade were extended to the Outports. On his Lordship's stating that he would "preserve the monopoly of the tea trade, but that the private traders should clear out from, and enter into, those ports where the warehousing system existed," Sir Hugh Inglis explicitly declared, "that the Directors would oppose, to the utmost, a measure so banc-

"ful as this must prove to the country, and that,  
 "situated as he was, he should feel it his duty to  
 "advise the Directors and Proprietors to reject the  
 "proposition." Was this expression made use of  
 by Sir Hugh Inglis, the mere impulse (of  
 the moment? Was it to be considered as  
 arising from a warmth of disposition? Was  
 it only the hasty sentiment of a tried and  
 faithful servant? No, it could not be thus con-  
 strued. By a resolution, then on their books,  
 and there was not one to be found there  
 more emphatic or more solemn, the Court had  
 concurred in those sentiments. In the mean  
 time, the Earl of Buckinghamshire had been  
 requested to put his demands on paper. He did  
 so: the document was received on the 24th of  
 April: it comprised all those principles to  
 which they had before objected. On the 5th  
 of May following, a General Court assembled;  
 the opinion of the Directors was fully, and  
 ably, and manfully given. That General Court  
 agreed to a resolution; which contained the  
 following passage: "The Court cannot but  
 "express their apprehensions, that the facilities  
 "which will offer themselves for the smuggling of  
 "tea, will effect the ruin of the China Trade,  
 "and occasion the failure of their dividends,  
 "and the depreciation of their stock." This  
 resolution was come to in a most numerously at-

tented Court, after the most serious deliberation, and aided by the advice and wisdom of the Directors; and that, too, on a proposition which fell far short of what was contained in the bill then before the Court. That this might not be considered the hasty and unweighed decision of a General Court, let gentlemen examine whether those sentiments were confirmed by the Directors, they having made use of the advantages which time and observation afforded them, for justly estimating the resolution. In the December following, seven months after the passing of that resolution, the Court of Directors, with all the additional materials for forming an accurate judgment, unanimously resolved, "that the proposition made by His Majesty's Ministers, to permit private traders to proceed to India from the out-ports, and back again, is pregnant with ruin to the Company's affairs, and the Directors cannot, consistently with the duty they owe their constituents, recommend its adoption." Such was the unanimous resolution, such was the advice, of the whole body of Directors--and they deserved the highest credit for coming to such a determination; because, in so declaring themselves, they were opposing their own interests--int rests of a very transcendant nature. He would not call it the artifice of Government in this negotiation,

but it appeared to constitute no inconsiderable part of its policy, that not a feather in the wing of the Directors; not a hair of the head of that patronage which belonged to them; should be touched; not a particle of that power and influence which were connected with their situations; should be removed. To them the patronage of an immense Empire was preserved; that great and transcendant patronage, the possession of which, each succeeding minister had stated to be so dangerous, if connected with the Government; that patronage, which each succeeding Opposition (while there existed in this country that which could be called an Opposition) had deprecated, as dangerous to the constitution, if united with the ordinary patronage of the Government. The members of that Court were not to assume those principles which impelled public men, when they saw them act for party purposes; they had no right to pursue such a course, when they saw them vacillating and unsteady; they ought to look with contempt on such conduct; and what were they then to think of those, who, at a former period, were ready to cry out against a single particle of Indian patronage being granted to the Minister, but who are now halloing on the Government, and encouraging them to seize the whole of it; in the paltry hope, that a little

time might place that in their hands which they now called on others to wrest from the Company. (*Applause*). In places like that in which he was speaking, where public morals still remained pure and unsullied, they could not but feel surprised at conduct like this—conduct proceeding from motives, the justice of which they neither did nor could perfectly comprehend. To those who seemed to desire that the patronage of India should be placed unchecked in the hands of Government, he would oppose the opinions of Mr. Pitt, Lord Melville, and Mr. Fox; the latter of whom had declared, that “if the patronage of India were placed under the influence of the ministry, flesh and blood could not withstand it.” This was not the opinion of these great men alone; the same sentiments was supported by every statesman who had ever examined the subject. All this patronage, then, was offered to be left untouched in the hands of the Directors; but they had the manhood, under the circumstances which he had before related, to come forward and refuse to accept of it. They would not receive it, coupled with the Charter, which they considered as including propositions fatal to the prosperity of the country—a charter, supported by arguments, which had no more to do with the real question, than those which might be adduced in discussing

a tariff of trade at the Custom-House. The Directors, however, although they knew that their imperial patronage would be secured, declined to accept the renewal of the Charter upon such terms. The question for the Court to consider, at present, was, whether or not the bill then in the hands of the Proprietors, did not come within that rule and fear of danger, of which the Directors had so emphatically advised them to keep clear. The Court of Directors, under the motion with which he should have the honour to conclude, would have an opportunity of entering into the most minute details, and of stating those reasons, by which they might conceive themselves justified in advising the Proprietors to agree to this bill. They would have an opportunity of stating, why they, or any one of them, should support a bill, more dangerous to, and more radically destructive of the interests of the Company, than any thing contained in the propositions which they had advised the Court to resist.

He should now enter into an examination of the most material and particular parts of the bill. It contained much insulting and degrading to a great Company, as they were; it contained more matter of that description, than ever he recollected to have seen applied even to a petty corporation. Painful as it might be to his feelings, he would, for the ad-



vantage of the Company and of the public, go through those points, and offer some remarks on them. He considered his labour well bestowed, if any effort or exertion of his could be serviceable to the country. It had been loudly asserted by their opponents, that this measure would greatly benefit the Empire at large. Those who were intimately acquainted with East India affairs had fully exposed the fallacy of this opinion. If, indeed, such a system were likely to prove a general benefit, there would be strong ground for supporting it. But here there was no motive, public or private, which called on the Company to rush to their destruction. One of the first clauses of this bill granted a liberty to His Majesty's subjects "to proceed to the Company's territories in India." This permission formed one of the main objections which were formerly made by the Court of Directors against the proposition of Ministers. They saw that the destruction of our Indian empire was likely to be occasioned by the influx of adventurers. All those who had given evidence on the subject, from the venerable HASTINGS, down to the humblest servant of the Company, who attended at the bar of the Legislature, and who astonished Ministers by the wisdom and information of the persons whom the Company selected to conduct their affairs—among

them all, there was not one of those gentlemen who did not express his fears for the safety of India, if Europeans were permitted to proceed there in great numbers.

In the Resolutions which were laid before the Court at a former period, it was stated, that persons should only be allowed to proceed to the principal presidencies; but this restriction was entirely done away in the bill, by which it was enacted, “that when and as often as any application should be made to the Court of Directors for a license, specially authorizing any ship or vessel, engaged in any voyage authorized by this act to proceed to any place upon the continent of Asia between the river Indus and the nearest part of Prince of Wales’s Island, not being one of the Company’s principal settlement, the Court of Directors shall, within — days from the receipt thereof, unless they shall think fit to comply therewith, transmit the same to the Commissioners for the Affairs of India, together with any representation which the said Court may think proper to make upon the subject of such application: and in case the said Board of Commissioners shall think fit to direct the said Court of Directors to issue any such licence or licences, the said Court of Directors shall, and are hereby required forthwith, to is-

"sue the same." With such a provision as this, the Court would see how vain it was for them to trust to any sort of restrictive proposition.— When such a power as this existed in the Board of Controul, although the Directors might refuse to give an individual a licence, except to Fort William, Fort George, Bombay, and Prince of Wales's Island, yet the Commissioners for the Affairs of India might step in, and compel them to grant licences to any other places whatever. Such a provision as this could not surprise those who had seen the irresistible influence of party exerted against the Company; he would not, therefore, make use of any harsh words with respect to the Ministry who had granted it. But it was most evident, that, (with the power placed in the hands of the Board of Controul; for the time being, to grant licenses, permitting a trade to be carried on in every part of India,) it was impossible for the Company to exert that wholesome restraint over persons proceeding to that country, which was necessary to the well being of the Indian empire. Every mischief, every misfortune, every evil, (not only those which were pointed out in the luminous, the unrivalled papers, drawn up by the Court of Directors, but those also which were stated in the evidence at the bars of both Houses of Parliament) would,

through the medium of those licenses, be realised on the shores of India. (*Applause.*)

The Charter of the Company was, by the bill, renewed for twenty years. For his own part, encumbered as it was with unfavourable stipulations, he would rather it had been for only three or four years, at the expiration of which period, if it did not answer, the Company would be at liberty to give it up. But this extension of the Charter, even under the terms mentioned in the bill, was completely illusory, for it was provided, “ That  
“ nothing therein contained shall be construed  
“ to extend to prevent the making, (during the  
“ further term thereby granted to the said Com-  
“ pany,) such further provisions, by authority  
“ of Parliament, as may from time to time be  
“ deemed necessary for enabling His Majesty’s  
“ subjects to carry on trade between the said  
“ United Kingdom, or any ports or places within  
“ the limits of the said Company’s Charter, save  
“ and except the dominions of the Emperor of  
“ China, and all ports and places without the  
“ limits of the said Company’s Charter ” . So  
that, though this Charter was nominally granted  
for twenty years, (and he believed Ministers  
would have as soon renewed it for fifty, for they  
were conscious, that, under its provisions, the  
Company would be burned out in five years—

a fact which he would prove before, he sat down — which he would so fix and establish, that no ingenuity should remove it); yet, during the period so specified, it was in the power of Parliament, from time to time, to make such alterations in the Charter, as they might think proper. Why, then, what stuff and nonsense it was, to talk of a twenty years' Charter, when it was explicitly enacted, that the Legislature might vary its provisions, as often as they pleased, during the whole period? But it was not sufficient, it seemed, that the Board of Controul should have the power of granting licenses, allowing persons to proceed to India, to whom the Directors had, in the first instance, refused their permission; for, by another provision in the bill, the Board of Controul may compel the Court of Directors to furnish the persons thus sent out to India, contrary to the judgment of that Court, "with certificates, according to such forms as the said Commissioners for the Affairs of India should prescribe, signifying that such persons have so proceeded with the cognizance and under the sanction of the said Court of Directors." Thus, by this clause, if persons wished to go to any place upon the continent of Asia, between the river Indus and the Prince of Wales's Island, and the Directors thought it right to withhold their permis-

sion, they must state their reasons to the Board of Controul for not acceding to the request; and the persons composing that board were vested with a power of over-ruling the objections stated to them, and might not only grant the licence so demanded, but also order a certificate, such as he had before stated, to be given to the applicant. All this the Board of Controul might do at their pleasure: but, as if this were not enough—as if Ministers were fearful that they had not power sufficient to send all the world to India, according to *their pleasure*—(which, by the way, appeared to be an equivocal expression, for he really believed that they were compelled, by the violence of clamour, to agree to many points in the intended charter, which by no means gave them pleasure)—as if the liberty of licensing persons to proceed to the Company's territories were not extensive enough—it was enacted, “that it shall and may be lawful for one  
“ of His Majesty's principal Secretaries of State,  
“ by a licence, in writing, for that purpose, upon  
“ such terms and conditions as he may think fit,  
“ to authorize any person or persons to, proceed  
“ to, and reside at, any place or places, within the  
“ limits of the said Company's charter.” What, then, became of any provision which limited adventurers from proceeding, unless specially

authorized, to any place in India, except one of the three presidencies? What, then, became of the provision, by which, in case of misbehaviour, they might be sent home,—when there was here an express enactment, giving to the Secretary of State, for the time being, a power to enable individuals, by his license and authority, to reside in any part of the Company's territories which he thought proper? Here there was no doubtful point—there was no room for argument—the single question which the Proprietors had to ask themselves was, “is he (Mr. Jackson) stating these points truly—is such a rule to be found in the bill?” The document was before them—those who ran might read. A Secretary of State, by the clause which he had recited, was permitted to authorise any person to reside within the limits of the Company's Charter, upon such terms and conditions as he might think fit. They all well knew the fears which had been expressed by that Court, as well as by the Court of Directors, in every shape and through every medium, as to the dangers which might be apprehended from the resort of persons to what were called the Eastern Seas; and a great part of the evidence went to shew the unfortunate result which must be produced, as sure as ever adventurers were allowed to navigate those seas.

It was directly stated, and that statement carried conviction along with it to every unprejudiced mind, that when they were permitted to proceed to the Eastern Archipelago, they would interfere with the tea trade, and that most extensive smuggling concerns would be carried on, not only to the detriment of the Company, but to the deterioration of the public revenue. Now, such a loss as this could not be repaid to the country by any export of manufactures to these islands. A single ship, of 350 tons burden, would take out more goods than would supply the whole Archipelago. On this subject it was asked of one of the gentlemen examined at the bar of the House of Commons, "Suppose persons to have a full resort into the Chinese or Eastern seas and islands, may they not get any quantity of tea they may be disposed to purchase, by a proper management?" The answer was, "that, by a proper management, they might procure as much tea as they wanted, from Java and different parts of Batavia." Indeed, persons who were concerned in illicit traffic were generally able to lay such a line of communication as was most conducive to the object which they pursued: and therefore, persons who, under the proposed charter, would be permitted to trade in those seas—who had made voyages from thence to



England, and from England to the Eastern Archipelago—who had acquired considerable knowledge of the commerce carried on in those regions—would, by their experience, be perfectly qualified, in a very short time, to carry on, with every prospect of success, an illicit traffic in tea, in which the greatness of the profit, and the comparative smallness of the risk, would very probably entice them to embark. In this particular point, every person who had been examined concurred—that, as soon as adventurers were admitted into the Chinese seas, an infraction, if not a total destruction of the Company's trade there, would be effected. How futile was the argument set up in opposition to this evidence, that benefits would result from the traffic carried on in the Chinese seas, as a great quantity of exports would find their way there, through the medium of those adventurers. Now the Company, in their long intercourse with the Eastern Archipelago, had uniformly experienced that a single cargo of our manufactures would more than supply the wants of all the inhabitants. Three hundred and fifty tons of European commodities were more than the whole population would consume; because nineteen twentieths of them went nearly naked. If, then, there were no likelihood that an increase of ex-

ports would take place; and if, on the other hand, this infraction of the China trade was not only barely possible, but highly probable, he would ask gentlemen to consider what the inevitable consequence must be? They might look to their resolutions and records for that consequence. From one end to the other of the documents, the answer to this point was, that so sure as any infraction was made on the China trade, so sure must the Company fall. It was the only staff which they had left to lean upon; it was the only pillar by which they were supported. If it failed, the whole system of the Company must fail, and then the question was, "Did this bill tend to produce that evil?" They now came to the appropriation clause. Under the last charter, there were certain modes of appropriation for the territorial revenues in India, and the profits made by commerce at home. The territorial revenues were directed, first, to purposes connected with their Indian territories in supporting the military and civil establishments; after which expenditure, a crore of rupees, or one million sterling, was appropriated to investments; and beyond that the surplus was specially reserved. Let the Court inquire whether that enactment still continued; and if not, whether the Government had not assumed a power,

with regard to their commerce, which they never before thought of. By the former Charter, it was stipulated, that a million sterling should be laid out in investments. To this principle Lord Melville had always assented. Up to the present moment, the system was, to purchase annually, to the amount of one million, the manufactures of India, which were regularly remitted to this country. By this means, happiness and abundance were secured to our Indian population; employment was given to immense numbers; and that prosperity, which had been so often the theme of admiration, progressively increased. By this wise measure, a degree of peaceful subordination, of regularity, order, and contentment, for which philosophers had in vain looked elsewhere, was established in our eastern empire; even Ministers themselves were at a loss for words by which they could appropriately eulogize such an extension of human happiness. (*Applause.*)—Manufactures, to the amount the had stated, were annually transmitted to this country, in order to enable the Company to meet such demands as might be made upon them. These demands arose from loans which they had been obliged to contract, for the prosecution of extensive wars; money borrowed by the Government abroad, forming the debt of India, for which bills were drawn on the Company at home, and

they were at that time under very large acceptances for demands of this nature. Now, as they relied solely for the means of paying those demands, on the Indian investments, in conjunction with the China trade, it was the wise policy of Lord Melville, that a million sterling should be annually employed in those investments; by this means the loans and debts contracted in India were to be discharged. Such was the appropriation of the territorial revenue under the last Charter. The appropriation under that which was now proposed, not only did not give to the Company the million sterling for the purpose of investment, but it was palpably and absolutely turned into other channels. He did not here mean to charge the Government with artifice, they spoke out plainly, and their meaning could not be mistaken. They assumed to themselves a power (after affecting to give the Company the trade in tea, which they put in peril by the right they reserved of sending to the Eastern Archipelago, what adventurers they pleased, either as to character or number) of restraining the amount which the Company might chuse to embark in the China trade. This was no forced construction of his; the thing, as he would immediately shew, spoke for itself. The first clause, stated, that the revenues, arising from the territorial ac-

quisitions in India, should be thus applied: first, in maintaining forces; secondly, in paying the interest of debt; thirdly, in defraying the expenses of establishments; and fourthly, to which he wished particularly to call the attention of the Court, it was enacted, "that the whole, or any part which might remain, of the said rents, revenues, and profits, after providing for the several appropriations, and defraying the charges before mentioned, should be applied to the provision of the Company's investments of goods in India, and in remittances to China, for the provision of investments of goods there, or towards the liquidation of the debts of the said Company in India, or to such other purposes as the said Court of Directors, with the approbation of the Board of Commissioners for the Affairs of India, should, from time to time, direct." So that, without naming a specific sum, as in the former Charter, the Company were merely allowed to employ part of the surplus of their revenues, in conjunction with the Board of Control; and, in another clause, they were restrained, as to the amount which they might wish to invest, either in the India or China trade. By a succeeding enactment it was provided, that, after the surplus of the territorial revenues and home profits had been applied in

repayment of the capital of public funds created for the Company, "any further surplus that may arise shall be set apart and paid into his Majesty's Exchequer, to be applied as Parliament shall direct, without interest to be paid to the Company for the use thereof; but all such sums of money as shall be so paid in, not exceeding twelve millions sterling, shall become a guaranteed fund for the capital stock of the Company, and also for a dividend." By this it appeared, that the surplus paid into the Exchequer was not to accumulate at compound interest, as had been the case under the former arrangement. That was the principle which was acted upon in the last Charter, and he merely made the remark to point out the distinction between the two systems; for the guarantee fund, as now about to be established, could only be considered as a bubble. He thought there was not a gentleman on that side of the bar, who would rise in his place, and say, if this bill remained as it was, that the Company could exist: and if the learned authority (Mr. Adam), to whose opinion they all looked with so much deference; if he were asked, "can the Company exist under such provisions?" he (Mr. Jackson) was sure, that learned gentleman would answer, with the profound and accurate judgment which he was known

to possess—with that high and honorable character which they all revered,—he, when called on, as probably he would be, to state his view of the proposed Charter, would, he had no doubt, express his conviction that, if the Company were not bankrupts in the course of two or three years, such a catastrophe would not be prevented by any thing contained in the bill, but would be entirely owing to the mercy and forbearance of Government.

The next clause to which he would call their attention was that by which it was enacted, “That the Board of Commissioners for the Affairs of India shall, by force and virtue of this Act, be invested with full power to *superintend, direct, and control*, the appropriation of any part of the territorial revenues.” For what were they to have this control? Was it to be directed to such purposes as those which were provided for in the last Charter? Was it to be exercised with respect to the payment of armies and fleets?—or for the discharge of the expenses attending on the military and civil departments? Was this direction meant to apply to the payment of the East-India debt—or was it to be made use of in appropriating a million sterling to the purchase of investments in that country, to pay off the demands in this? No—this control was over

the appropriation of any part of the territorial revenues to commercial purposes. Ministers were to determine, under these clauses, what the Company were to employ in investments in India or to embark in the China trade; they had full control on these points,—they could direct all “orders and instructions” relating to them, “in the same manner, and under and subject to the like regulations and provisions, as if the said instructions referred to and concerned, the civil or military government or revenues of the said territories or acquisitions.” And, for fear the Company should fail in having a sufficient surplus—a fear which originated in the circumstances of the war in India, (a war so splendidly and so successfully carried on, not for their interests, but for those of the country), having swallowed up seventeen out of twenty parts of their revenue, and having consequently destroyed that surplus which would have otherwise existed, and obliged them, (standing as they did high in credit), and knowing that they would not have wanted commercial funds, but for that zeal (the effects of which many persons now began to question) which induced them to part with their commercial capital for political emergencies, to raise, on their high character in India, those sums which were neces-



lary to replace the treasure they had advanced in aid of Lord Wellesley's wars—to which, though onerous to the Company, he was ready to allow the full merit that was attached to them, as glorious to the country and conducive to its interests. But for fear the Company should again fail in their surplus revenue, the Government now thought proper, having pocketed all the advantages derived from the system the Company had adopted, to quarrel with the means by which it had been effected. Those millions which the Company would have laid out in investments, they had lent to the state—and, to make up the deficit, they were obliged to borrow money by way of loan; they were obliged to give securities for such sums as they stood in need of, in consequence of having appropriated their treasure to the service of the country;—but now, lest the Company should again fail, lest they should again endeavour to raise money for their investments, on the strength of their unimpeached, and unimpeachable credit, Ministers assumed an authority over that credit likewise—and they said, “You shall neither make use of any part of the territorial revenue, nor yet shall you exert your credit, except under our direction and control.” For, it was expressly enacted, “that the Board of Commissioners should have full

“ power and authority to superintend and control  
“ *all orders and instructions whatsoever, relative*  
“ to the amount of appropriation of any monies  
“ arising from any loan, raised or to be raised in  
“ the East-Indies, or of any securities, issued or  
“ to be issued, by any of the governments of the  
“ said Company, as if the said orders or instruc-  
“ tions immediately related to, and concerned,  
“ the civil or military government or revenues.”

Under the Charter of 1793, the power of the Board of Control over the territorial revenues was confined to the Company's civil and military government; but now, for the first time since the two editions of the resolutions appeared, and contrary to the conversation which was so lately held with his Majesty's Ministers, in which they professed, that they did not mean to limit or to cramp the Company in their investments, or in the sums they might please to embark in the China trade, by this change they completely did both. They did not specify how much they would permit the Company to invest in that trade, from which a great part of the assets proceeded that were necessary for the purchase of tea for this country. Not having been latterly able to send out the bullion, which the Company were formerly 'obliged' to do, to provide the supply of tea for Great-Britain—by

the policy of their Government, it was contrived; by the wisdom of those Directors, who were now sought to be extinguished, that the trade with China should be carried on, by an exportation of the commodities of this country, and by that connection with India which they were now told ought to be given up. Yes, they were told to give up that trade, which yielded somewhere about £120,000 per annum, and without which the Directors had stated, over and over again, that the Company could not proceed for a twelvemonth—and, indeed, the control over that trade was completely put out of their power by the provisions of the bill. It now rested with Ministers, whether the Company should carry on the India trade, to the amount they now did, or whether it was to be reduced one half or one quarter; and, as if the Company were suspected of dissimulation, as if they were not to be trusted, it was further enacted, “that the Court  
“ of Directors should, from time to time, deliver  
“ to the Board of Commissioners copies of all minutes, orders, resolutions and proceedings, of all  
“ Courts of Proprietors, and of all Courts of Directors, within eight days after the holding of  
“ such Courts, and also copies of all letters, advices, and dispatches, which should at any time or  
“ times be received by the said Court of Directors,

“ or any Committee of the Directors, from the  
“ East-Indies, or from any other of their settle-  
“ ments or factories, in any wise relating to, or  
“ concerning the appropriation, to any investment  
“ or other commercial purpose, of any part of the  
“ revenues of the said territories, or of any money  
“ arising from any loan raised or to be raised in  
“ the East-Indies, or parts aforesaid, or of any se-  
“ curities issued or to be issued by any of the go-  
“ vernments of the said Company, immediately  
“ after the arrival and receipts thereof.” For the  
first time it appeared, that every resolution the  
Court came to, every order which the Company  
sent out to their territories, every guinea they ap-  
propriated to investments, was to be regularly no-  
tified to the Government. In the first place, they  
limited the sums so to be appropriated ; but, lest  
any attempt should be made to escape their watch-  
fulness, every step taken by the Court of Direc-  
tors must be announced to them. The next  
clause enacted, “ that no orders or instructions  
“ whatever, relating to the appropriation to any  
“ investment, of any part of the revenues of  
“ the said territories in the East-Indies, shall  
“ be at any time sent to any of the governments  
“ or settlements in India, by the Court of Di-  
“ rectors, until the same shall have been sub-  
“ mitted to the consideration of, and approved

“ by the said Board of Commissioners.” So that, in point of fact, every shadow of free agency was done away by those provisions. Now, the only other clause that he would observe upon in this bill, was that by which the Government assumed to themselves a power with respect to the colleges here and in India. Supposing it possible that the Company could go on under such a bill, it must at least be admitted, that, under the present or under any other form of government, no hope could be entertained of exercising their political powers advantageously, either to themselves or to the public, unless bold, decisive, disinterested retrenchments, both here and in India, were resorted to. It followed, as a conclusion, that if the Company continued to exist under this bill, and were represented by such honorable men as at present enjoyed their confidence, they must begin to cast about, and make such retrenchments, as would greatly lessen their present expenditure. Now, it was a question, whether the college of Hertford had answered the purpose for which it was intended. They all knew the doubts that were entertained on that subject; and it would be well to enquire, whether they would continue to maintain that seminary, as they were directly called upon to do by the bill, for a country

which treated them with ridicule ; which underrated their services, and loaded them with contumely for their exertions. (*Applause.*) By the clause to which he referred, “ the establishment of officers in the College and Military Seminary, and all appointments thereto, are to be subject to the controul and regulation of the Board of Commissioners.” It was also enacted, “ that no person was to be appointed a writer, unless he kept his terms at the College.” From these provisions it was clear, that æconomical arrangements could not be made, under this bill; Ministers were unmerciful in the expences into which they were goading the Company ; at the same time that they were bearing down the means by which alone such establishments could be supported, by which alone the Company could discharge their functions with dignity. This could not but excite a suspicion, if it did not induce a perfect conviction, that they wished to urge the Company on to a *felo de se*, in the hope that they would then, of necessity, become possessed of that patronage, which, under no circumstances, they would dare openly, to seize upon : but having put it out of the Company’s power to govern, they would then be enabled to appropriate it to their own service. (*Applause.*)

Now, he would ask, why did the Company put

down the College in India? why was it rendered the mere wreck and shade of a departed establishment for learning? why was so splendid a Seminary overthrown? Was it not for the acknowledged purposes of œconomy? On the subject of the College, which had been thus reduced, Marquis Wellesley had written one of the finest pieces that human ingenuity could devise, with the profoundest reasoning, with the most extensive knowledge of the subject: it combined the utmost purity and eloquence of language; it was one of the most finished pieces of composition that ever fell from the mind of man, and no person could peruse it without owning its authority, and heaving a sigh for the extinction of that Seminary to which it related. (*Applause.*) He admitted, that it was wise to reduce it: it was prudent, he thought, to do away so extensive and so onerous an expence in India, and at the same time, to establish the Seminary at Hertford, as a cheap substitute. The funds necessary to support the College in India, (where professors were provided with splendid salaries while they acted, and with immense pensions when they retired) were of such magnitude, as would have ultimately borne down the Company. They had, therefore, wisely contracted the system; but, by the provisions of this bill, Government were in-

vested with the power of erecting that college, in all its plenitude of expences, and charging it on the territorial revenue of India, by the surplus of which they were alone capable of carrying on their commerce. This was but a speck in the general proceedings, which regarded their œconomy ; but the clauses to which he had before referred, by which the account of investments in India were to be controuled by the Board of Commissioners, were fraught with such pure and perfect, and unqualified destruction to the Company, that nothing would fill him with more surprize, than that any honorable Director, who had told them, on a former occasion, not to agree to those propositions of Government, which contained nothing like that enacted by the present Bill, when merely the import and export trades were the subjects of discussion, it would, indeed, astonish him, if any honourable Director, after having thus counselled them, should call for their acquiescence in the present measure (*applause*) : because, that which was only recommendation, on the part of the Government at the former period, became law to-day, under that Bill ; and those who only threw out the provisions which it contained, as matters of suggestion, in conversation, now sought to render them irrevocable, by a legislative enactment.



He should not endeavour to point out to the Court the situation in which the Company stood, before this bill was brought in. He admitted, that an *implied* consent was given, to allow private traders to proceed from the Out-ports to India—no where, in the whole course of the negotiation, was a *direct* consent granted to that proposition. The Company put it in an hypothetical manner: and it was most disingenuous to argue that the point had been decidedly conceded. Yet such was the argument their enemies adduced against them. But the fact was, as every gentleman must perceive who read the documents, that the permission thus offered was purely conditional, depending on something which the other party was first to accede to. The Company merely stated to the Government, “if you “do so and so, we will do so and so.” Yet this point, plain as it was, had been seized upon by those who opposed them in the House of Commons, and forcibly strained to their own purposes. (*Applause.*) With all that playfulness of wit—with all that brilliancy of fancy, which some of those gentlemen possessed—with all that cutting terseness of expression which delighted others—(although, he confessed, he very rarely saw any *point* in their observations, and never could perceive their *justice*)—with all that face-

tious jocularity which one might expect to find  
 in a society of *bons vivans*, but which, cer-  
 tainly, but ill comported with the seriousness of  
 the subject or the gravity of the place—those  
 gentlemen triumphantly asked, “Why can any  
 “ thing be so absurd and ridiculous as the oppo-  
 “ sition of the Company, arising from the  
 “ danger to be apprehended from an influx of  
 “ strangers to India? How can they raise such  
 “ an objection, who have already consented that  
 “ all the private merchants should proceed to  
 “ the different ports of India? They have al-  
 “ ready admitted this indiscriminate intercourse,  
 “ which they now affect to fear—but surely they  
 “ will not pretend that it can be increased, by  
 “ permitting the private trader to bring home  
 “ his cargo to any other port but that of Lon-  
 “ don?” Now the answer given to this asser-  
 tion by an hon. Director, whom he then saw in  
 his place, was very short, but very conclusive—  
 “Shew me,” said he, “that passage in the  
 “correspondence between Government and the  
 “Company in which this consent is to be  
 “found?” This was bringing the question to  
 issue—but no reply was hazarded on the subject.

The Bill, however, went infinitely beyond an  
 opening of the export and import trade; the  
 clauses in page 17, which he could not place, be-

fore their eye too often, spoke for themselves. He should be corrected if he were wrong; but he would maintain that they effectually restrained, restricted, and limited the amount of those investments, on which they depended for the payment of their debt, and for the discharge of a great variety of demands which they were constantly called upon to answer. Could it be supposed that Ministers (who were so deeply interested in the prosperity of the country, to whom a flourishing state of the revenue was of so much importance) would do this?—Strange as it might seem, it could be so; for they explicitly said, and he gave them a great deal of credit for their plain dealing, that they would introduce such alterations as would effectually controul the Company. One of their sales had produced a million of money, and enabled them to discharge, with integrity and honour, demands which none but a state had ever before undertaken to pay. Those sales were conducted on such a system, that the praise of the Company was in every man's mouth—every man was happy to deal with them. (*Applause.*) But now it appeared their sales were to be divided among the Out-ports:—how could they accede to a principle which at once went to destroy their remittances? Those who favoured this

new plan said, "You may remit by way of bills of exchange." The question then was, "How are the Company to come by them?" The true state of the case became evident—at one glance the truth was perceived. The plain language of the business was this: "We (the Government) will order you to give your surplus territorial revenue, in cash, to these private adventures, to enable them to carry on their trade with India; they, in return, must give you bills of exchange for the loans thus advanced by you—and these bills can be redeemed to this country to liquidate your debts." Government assumed to themselves the complete controul over the surplus of territorial revenue. They would portion out the sum to be appropriated to investments—how much was to be given to the private trader, and whether A. B. C. or D. E. F. were to have the preference. The Company possessed no control whatever. Ministers fairly and honestly told them, that they must be made acquainted with any intended appropriation of revenue; and, if they were not pleased with it, they would direct the Company how they should act. These were the principles, which, as they would see by the minutes, were first advanced as opinions, but had now assumed the form of a law; under the enactments of which,

instead of sitting in council in Leadenhall-street, they would very soon be exempted from every labour of that kind—they would be no longer called upon to legislate for the happiness, prosperity, and welfare of their subjects in India. (*Applause*). He had heard from the late Lord Melville, and the same opinion was contained in his writings, that his great object was to make London the emporium of Indian commerce—and Leadenhall-street the great mart for it. But this was no longer to be permitted; the Out-ports were now to have *their* India sales. Whether they would answer the purposes of those who were interested in them, he would not then inquire; but it was clear that they would be quite sufficient to disorganise those of the Company, and it would soon become a mooted point, whether the latter should advertise any sales at all. Those who supported this scheme did not appear to know that it would have any effect on the Company's assets. They never bestowed a thought upon the subject. The innovation was conceived in the base spirit of clamour; and it was to be effected by that union of merchants and members of Parliament which existed throughout the country. It was complained, that a fair trial had not been given to the private trader. And how was that fair trial now to be effected? By throwing the assets of the Company  
into

into the hands of the private merchant, to enable him to carry on the Indian trade advantageously to himself, if possible, but with certain ruin to them. Let the Court look a little to the sort of situation in which they would be placed, if they had the manliness and firmness to say, "This is a Bill which we cannot and will not accept." If they could not with honour retreat from the point at which they had arrived, it would be much better to meet the danger boldly, and to act decidedly, than to receive that which they knew would be useless. It would be better thus to proceed, than to palter with the British public, by consenting to accept of that which they never could carry into effect with any prospect of benefit either to the Company or the country. (*Applause.*) But let no despondency cloud our minds in the contemplation of such an event. For should it occur, we have still the proudest, the most imperial corporation of our own, in spite of all the efforts of our adversaries. (*Applause.*) A corporation, granted to us by repeated Charters—confirmed by the Act of 1793—and not at all altered by this bill; but, on the contrary, admitted and supported by it. (*Applause.*) He, amongst others, might have been led to suppose, that the Act of 1784 or of 1793 gave them that corporate

corporate right. But it was not so. Those Acts only superadded the privilege of exclusive trade to that which they before possessed. (*Applause*). Let the Government then take away that exclusive right, and let us see what we have then to do. If the Company acted with the spirit which had always characterised them—a brighter, a more splendid day was about to break upon them. Let them forget the deprivation of that with the loss of which they were threatened. Let them look only to that immense field of commerce of which they could not be bereft—a commerce infinitely greater than they imagined; in which they might immediately embark, when they had no longer any hope that an equitable Charter would be granted to them. (*Applause*). Their country, led on and actuated by those turbulent spirits who were ever in a state of restless agitation, thought proper to abandon them. But should they on this account deviate from that course of moral integrity, that strict rule of rectitude, which, under every difficulty, administered consolation to the mind, and enabled it to act with firmness?—Certainly not. Their only aim should be, to accept no unworthy compromise of their rights, but to examine what their situation would be, under the law, and what it was in their power to make of it.—(*Applause*.)

They had tenants, lands, and forts. Their territories, Bombay, Bengal, St. Helena, were not granted to them merely as an appendage of exclusive trade; these they possessed as a corporation, established in perpetuity, under the charter of King William, to have, to hold, to enjoy, to make purchases, to build forts, and to garrison them, together with all those splendid appendages of sovereignty, which, perhaps, were generally supposed to have been attached to the Act of 1793; but were, in truth and in fact, inseparably connected with their exclusive rights, as a corporate body. And if, to-morrow, they were prevented from carrying on an exclusive trade, still they had it in their power to prosecute an extensive commerce with every part of India, with every part of Africa, throughout the whole extent of the South Seas; a speculation of which Lord Grenville, in a late speech, had spoken in the most decided terms of approbation. They could, as his Lordship had stated, explore those regions of commerce, those seats of bliss, to which little attention had been hitherto paid. (*Applause.*)—As a great Corporation they possessed immense advantages for carrying on a successful commerce, advantages infinitely greater than were ever before held by any body of individuals in the world. Still, however, he wished to run a generous race, not for



private benefit, but for the benefit of his Country.

“Let us see who can fairly do the most business with India. We surely can absorb the greatest portion of commerce. We are not ignorant of the advantages we possess over our countrymen: we are a century before our rivals: our transcendent reputation and credit are armed and defended by the consistency and honour of our conduct for more than one hundred years.” (*Applause*)

These advantages are ours, if we should ever be called upon to wage them in a competition with others.” He would not petulantly call on the legislature to abrogate the Bill which had been proposed; he would only ask common interest for the money of the Company, care being taken that they should not lose both their capital and their dividends, by an implicit obedience to the commands of Ministers. He would have the interests of the Proprietors properly secured.

But if that were refused, which was most just and reasonable, they could carry on a trade, such as the world never saw before, and if they then received 40 per cent for their money, no power could interfere with that profit. Still, however, he was content to limit their profits to common interest, provided that common safety and common security were extended to them. He was aware, that one of the principal arguments urged against the Company was contained in the fol-

lowing interrogatory : " Why do you not submit  
" to this wretched bill, merely for the purpose of  
" experiment ?" This was not the exact expres-  
sion, though it was something like it, which was  
made use of by very honourable men, though he  
felt himself entitled, in that place, to question the  
wisdom which framed it. Now, let the Court  
fairly examine the point. Suppose the Company  
consented to accept the bill, and, at the expira-  
tion of four or five years, which was long enough  
for the experiment, they found that it would not  
answer : they might then apply to the Legisla-  
ture to have it repealed. But had gentlemen  
contemplated the consequences of this awful pro-  
position ? Had they brought it plainly before  
their understandings ? Did they not perceive,  
that, having once undertaken this charge, the  
Company would be obliged to fulfil it, unless  
they could procure an act of parliament to re-  
lieve them ; or the King, in his pleasure, should  
think proper to assist them ? Now, therefore,  
while they were still free, while they were yet  
unshackled by provisions, was the time for con-  
sideration, and for decision. (*Applause.*) If  
they, at that moment, embraced the measure,  
and afterwards approached the Legislature with  
humiliation, praying to be relieved from its pro-  
visions, what would be the consequence ? Would

not the answer be, "No, we will grant you no relief. It is in your own power to relieve yourselves. You can give up your forts and garrisons (that which is termed your dead stock), and your live stock (by which the Government is carried on), to the amount of many millions." If they should ask pecuniary aid from Parliament (and that very year they could not proceed without going to Government for assistance, as if the papers laid before the Court were correct, the demands on them were considerably more than £7,000,000, and the funds applicable to their payment amounted to only £6,500,000), how would they be treated? In noticing applications of this kind, he did not mean to object to an interchange of good offices between the Government and the Company. Government owed them money, and till it was paid, they must procure assistance by way of loan. But he wished the Court to look at the situation in which they would be placed, and to consider the treatment they would be likely to receive, if, after having accepted of this bill, they should apply for aid to enable them to pay their dividends. Ministers would observe, that it was extremely doubtful whether they could consent to such an application, and they would take care that the Parliament should not consent to it. Would you not then be placed at their feet, your credit blasted and gone? Bankrupt in the

eyes of the public, every sentiment that could convey odium and reviling, would be levelled at you, as a body, who, though possessing great intelligence, had accepted of that which it was your duty to have rejected. He (Mr. Jackson) therefore exhorted the Proprietors, not to agree to any bill, which carried in its provisions those dangers that had been so ably pointed out in the official documents of the Court, and which could only have the effect of putting off, for a very short period, that catastrophe, which firmness and decision might now prevent. He knew many persons, with a sensibility that did more honour to their hearts than their understandings, exclaimed, "Can you think of dismissing five hundred labourers; can you seriously determine to break down such an establishment, and thus run the risk of creating distress in private families?" Now, what was the meaning of this, in plain English? Why, it was merely calling on the Company to divide their capital stock amongst those persons, till it was all gone—and so, in six or seven years hence, they and their servants might go down together—sooner than suffer that laceration of feeling which would be attendant on an extensive system of retrenchment.

But, he would contend, that the orphans

and widows, who were Proprietors, had no right to support the orphans and widows who were not Proprietors.—(*Applause.*)—Surely the interests of those persons ought to be protected ; and he who would overlook them, in his anxiety to assist others, must, he conceived, be influenced by that new species of whining morality, which was essentially different from true and genuine feeling. But the question was here raised, whether this picture of private distress, this accumulation of misfortune on private families, was well founded? He did not hesitate to say, it was not ; because, if the Company's authority was brought to an abrupt conclusion, still their duties must be performed by others, and thus private families would continue to be provided for. In supporting so important and extensive an establishment, all the functionaries at present engaged by the Company, must still be employed, although by other masters. They would not, probably, be such masters as the Company were : they would not feel such affection for those who were placed under their superintendence ; they would not experience all that solicitude for the promotion of their interests, which the Company were uniformly admitted to have felt : but, still, however, the government must go on ; and the Company would, in that event, retain seven-eighths of the

profits they at present derived, while they would be released from three-fourths of the expense they now incurred. This dread of carrying distress into private families was still more futile, when it was recollected, that the Company must continue to employ multitudes of persons, in the capacity of clerks, &c. And he was sure the government of the country, in the event of a rupture, would go hand in hand with them, in providing for their servants, and settling their affairs. For, whatever might be insinuated by prejudice and illiberality, they were not in a state of bankruptcy; though certainly the bill then before the Court was calculated, in the course of four or five years, to produce such an event. They possessed, however, very large assets, though they could not, at that moment, avail themselves of them. But, should they arrive at that situation, to which he had so often alluded, when it would be necessary for them to reject the proposed Charter, he hoped the utmost coolness and temper would be displayed. He would call on the Government to treat, with respect and attention, the functionaries of the Company, till the matters in dispute between the two parties should be brought to a conclusion; and the assets, which, for the sake of the public, ministers ought particularly to attend

to, were properly settled. He would willingly agree, that the question between the Company and the State, with respect to what was due on either side, should be left to some high arbitration, as was done in the reign of Queen Anne; when Lord Godolphin decided between the foreign and domestic India Company, prior to their being united. There was not a British nobleman to whose arbitration he would not submit; because, though their political morals might be liable to suspicion, yet, he had no doubt, there was not a country in the world, where a higher sense of honour, of justice, or of morality, resided in the breasts of its nobility, than in this. He would leave the task of arbitration to Lord Grenville, who opposed the Company; or he would leave it to Lord Castlereagh, who said, if the Company refused to accept the terms offered to them, it would be in the power of His Majesty's Ministers to devise some fair and constitutional mode for governing India, without the assistance of those who were its sovereigns at present. But, in such a case, the Company must be remunerated for their property. Lord Melville stated it as a principle of immutable justice, that, when the Company were deprived of their authority, they should receive the full value of every thing to

which they could lay claim. To award what was due to them, under such circumstances, he would be satisfied with the arbitration of any person whom the Lord Chancellor, or the Speaker of the House of Commons, might nominate. He should be glad, if it were consistent with their high functions, that they should act as the arbiters themselves. He could name half-a-dozen gentlemen, on either side of the bar, in that Court, whose wisdom and experience rendered them fit persons to deliver a sound and valid opinion in a decision of that kind; an opinion which must have its full effect with those who should be deputed to appear on the opposite side: therefore, let not the Company despair; let them not accept a Charter which was worse than none. He again asserted, that a fate awaited them, more brilliant, more glorious, than any they had hitherto experienced. —(*Applause.*)—The act of the 10th of William III. gave them such powers, as a corporate body, as, if resorted to, would infallibly exceed their most anxious expectations. That Act was recognised by Queen Anne and by King George the 1st, 2d, and 3d. The Act of 1793 stated, “that nothing therein contained should be considered as determining the corporation of the Company, or precluding their right



“ to trade, in common with His Majesty's other subjects, to the parts aforesaid;” those parts being India, Africa, America, and the South Seas. That trade, of which Lord Grenville had spoken in terms of the highest expectation, was, by the present bill, studiously cut off from them. As they could not be allowed investments enough for the India trade, it was their duty, in their own defence, to look to other objects; for no good could be obtained under the bill then before the Court. He was persuaded, that it transcended, in mischief, both the first and second series of resolutions, and every verbal proposition that had been made to them. Being in itself, according to his opinion, (which certainly was a solitary one) a most objectionable and ruinous measure, he would endeavour if he had the honour of succeeding in his motion, to prevail on the Directors to state their sentiments plainly and distinctly, on a subject of so much moment to themselves and the Company. He did not mean to come to any resolution, at that time, on the merits of the bill which, he trusted, would be greatly altered; it was, however, his intention to move a resolution :

“ Resolved, that when the bill now pending in Parliament has passed through a Committee of the House of Commons, and the blanks

“ have been lined up, the Directors of the  
 “ East India Company do call a General Court  
 “ of Proprietors, on matters of the utmost im-  
 “ portance, in which Court, having fully ex-  
 “ amined the provisions of such Bill, they will  
 “ be pleased to state their several opinions, as  
 “ to how far they think it safe and proper for  
 “ the Company to accede to it, with security  
 “ to their capital, firmness and stability to their  
 “ dividends, and with benefit and advantage to  
 “ themselves and the country.”

Here, however, he thought it right to state, lest  
 he should be misconceived, that he would not be  
 bound by any opinion which might be deliver-  
 ed, unless he was convinced of their justice.  
 As a proof that the Court of Proprietors ought to  
 act with an independent spirit, he observed, (and  
 in making the statement, he meant not to speak  
 disparagingly of the Directors of the present day,  
 nor of those who presided at a former period,  
 that, if they (the Proprietors) had not overruled  
 the Directors in 1793, they must have been  
 ruined. At the close of the negotiation for a  
 Charter, in that year, a resolution was proposed  
 by an hon. gentleman on the other side of the bar,  
 which some of those gentlemen, then sitting be-  
 fore that bar, must remember; but time had  
 swept away many of the individuals who took

a share in the transaction. The resolution to which he alluded, went to allow annually to Government, the sum of £500,000, provided that so much remained, after discharging all the expenses to which the Company were liable; Lord Melville having calculated, certainly on good grounds, that a net million *per annum* would remain as a surplus after the Company's expenditure, and he thought it was but reasonable that half that sum should be given to the state. It so happened, in the course of the negotiation on that subject, it reached his ears, that the resolution had been very much altered; and that instead of making the payment of this £500,000 contingent, it was changed into a positive stipulation. He felt that the Company could not possibly pay such a sum, in case of war, which was expected every day, the French revolution having then broken out. In such circumstances, he knew they could not meet such a demand as a positive stipulation. He saw that they would either be obliged to go into the money market, and raise the sum they wanted, at an usurious interest; or they else must require relief from Government, who were then even more needy than the Company. It happened, at that time of day, like others, at a youthful period of life, he looked to a political introduc-

tion as a great *desideratum*—to that object the whole energies of his mind were directed—to attain that end was his study, day and night. He was then acquainted with some of His Majesty's servants, who received him in a more flattering manner than, perhaps, his merit entitled him to. However, he was given to understand, that whenever the Charter was concluded, he should receive the long-wished for political introduction. The moment he heard of the resolution, he saw clearly, that he must either forego every political hope, or violate his faith. The latter he was determined never to do. (*Applause*). The night before the discussion of the resolution came on, a member of His Majesty's Government held a conversation with him, and stated how desirable it would be, if he would, next morning, give his support to the resolution, as it then stood, binding the Company to pay £500,000 *per annum*, without reference to any contingency whatever. To this proposition his answer was, "That he was aware nothing was so likely to destroy his fortune, as a refusal; but he would sooner forego his interest than sacrifice his integrity. Much confidence had been placed in him by the Company, and that confidence he never would betray!" He afterwards came down to that Court, and opposed the

resolution with all his power. A gentleman, one of the Directors, supported him (which showed, that his proposition was not a light one), and they succeeded in throwing out a resolution, which was countenanced by twenty-three Directors. They were induced, in consequence, to leave the negotiation; and were instructed to request of His Majesty's Ministers, that the positive stipulation should be omitted in the Bill and Charter. The Directors consented to go to Ministers, for the purpose of explanation and remonstrance, but expressed an opinion that it would be in vain; for Lord Melville, who was concession itself in every thing else, was inflexible in this. Indeed, so completely was this business settled, that Mr. Pitt took this £500,000 as part of his budget for that year. But what was the conduct of Lord Melville on that occasion? He (Mr. Jackson) wished to God, Lord Buckinghamshire did not think it unworthy to imitate the conduct of that great man. Lord Melville, when he heard the decision of the Court, sent down a message to that House, stating, "That he would forego the intended stipulation, as it was always his desire, to meet the wishes of this Court; and he was perfectly willing to let the payment of the £500,000 *per annum* depend, as at first, on a contingency." The Company paid it the first

year, but they were unable to continue their payment in the second. There was now, however, £610,000,000 due; but, in consequence of the positive stipulation having been recorded, it was not even demandable, till every other obligation of the Company was discharged; and till £12,000,000 had accumulated as a guarantee fund for the stockholders. This they procured by a well-timed opposition to the Court of Directors. (*Applause.*) He knew it was then looked upon, and was censured, as a presumptuous action—as a head-strong rebellion, arising from the heated feelings of youth—as a proceeding that deserved reprehension instead of praise. Still, however dear it had cost him, he rejoiced in the occurrence. And, if he might be allowed, on so grave an occasion, to parody a line of poetry, he would say:

"He saved the *Company*, but lost *himself*."

The hon. gentleman concluded by moving the resolution, which he read in the course of his speech.

Mr. *Davies* said, he rose for the purpose of seconding the motion, in every part of which he concurred. There were, however, in the course of the learned gentleman's speech, some points on

which he differed from him in opinion, and these he would very shortly state. With respect to the College of Hertford, he considered it a most desirable institution, and one which ought to be kept up on any terms, because it was of extreme importance, that men who were sent out to govern sixty millions of people, should be wise and enlightened. He thought they should be well acquainted with mathematics, with natural and moral philosophy, and indeed with every branch of science which could elevate and ornament mankind. He would rather persons intended for the government of India should be educated in a seminary established like that at Hertford, than in any of our public schools, where our youth often remained to the age of 15 or 16, and knew little else but the construction of pentameter and hexameter verses. There was another point on which his opinion also varied from that of the learned gentleman;—he said, that if the Company embarked in an extensive trade, their capital and their experience would give them great advantages over their opponents from Bristol and Liverpool.—Now he never considered the Outports as their opponents;—all the Company had to dread was from those gentlemen who were already in India; who possessed experience, and who had capital, in a certain degree, to cope with the

Company. He was the other day of opinion, that they could not do better than wait till the bill had passed through a Committee of the House of Commons, before they came to a decision. He still retained the same sentiments, because he did not think of any thing which might be offered in that Court, would make the slightest impression on the House of Commons. He was more disposed to rely on the exertions of the Directors in that quarter, as they had already faithfully performed their duty there. He felt greatly indebted to them, and he relied with the utmost confidence on their future exertions. He had no doubt that they would persevere in those exertions to the last, and he thought it was the duty of the Court to second them in the most forcible manner.

Mr. *Hume* said, that in rising to address the Court at the present moment, he felt himself very peculiarly situated in following the speech which they had just heard delivered by the learned gentleman (Mr. Jackson); a speech as replete with eloquence and information as that Court had ever heard. It was not his intention to notice one half of the observations which the learned gentleman had introduced: still feeling that some of his positions were erroneous, he should consider himself unworthy of a seat in that Court, or of



the character of an Englishman, if he did not distinctly state his objections. He was the more imperatively called upon to deliver his sentiments, because it was impossible not to see how the Court was carried away by the eloquence and arguments of the learned gentleman—arguments which, though specious and ingenious, were unable to satisfy him. In taking this view of the subject, he would therefore be obliged to delay the Court a little longer than he could wish; but he was sure they would grant a patient hearing to all those who were disinterested, and who stated only, that which appeared to them conducive to the public good. The arguments which had been used against the original proposition might be divided into two heads:—First, that by its operation, the profits of the Company would be so curtailed, as to prevent them from carrying on their political system;—and secondly, that their existence as a Company would be endangered by the free intercourse of Europeans with India. At an early period he had attempted to prove, that throwing open the trade would not produce the first mentioned effect, because, in fact, the India trade did not make a profitable return. In answer to this, it was stated by an hon. Director, in an able and perspicuous speech, that they were not merely to look to profits, as there was an ob-

ject of paramount importance, in preserving the India trade; and he even admitted that on an average of twenty years, not more than £120,000 per annum was gained by that trade. On his own shewing, therefore, it was not a matter of consequence; but he (Mr. Hume) had at that time clearly proved, that there was an actual loss sustained by the Company in carrying on that branch of commerce,—he therefore thought that no injury could result to the Company by giving up a portion of that, from which, for so many years, they had not derived any benefit. But the Court sang from one side to the other, on that occasion, with the exclamation—“that the Company’s subjects in India amounted to sixty millions, and that they were not to be sacrificed for any parsimonious or trifling views.” He was sorry that the learned gentleman, who on former occasions, had strongly alluded to these sixty millions of inhabitants, did not mention one of them to-day. No one adverted to that subject on the present occasion. The whole anxiety seemed to be confined to the benefits which Great Britain herself was likely to derive under the provisions of this bill. He could not find fault with the hon. gentleman for thus passing over that which he was unable to combat; but he (Mr. Hume) undoubtedly had a right, from his

silence with respect to the natives of India, to consider, that he supposed there was no longer any danger to be dreaded from the visits of the private merchants. They had been broadly told, that the peace of India would be disturbed—that the comfort and happiness of 60,000,000 of people would be completely destroyed.—And how was this devastation to be occasioned? By the influx of adventurers from the Out-ports; by the conduct of men, whose cruelty would disgrace England, because, they had been once engaged in the traffick of slaves. These men were to be let loose in India; they were to lay waste the country, to overthrow the whole system of police, subvert the Indian government, and plant, in its stead, nothing but anarchy and confusion. These were the terrors held up to his Majesty's Government, for the purpose of preventing an extension of the India trade. But, when he stood up in that Court, he stated, (if he could be heard for a moment), that those were imaginary terrors. He opposed every fact or supposed fact; and, indeed, most of what had been advanced, was of the latter description, generally commencing with an *if*—“If so and so takes place, what will the state of India be?—and what will become of Great-Britain when your Eastern Empire is destroyed?”—Questions of this kind

were put without mercy—but this was no longer the case. That which he had before pointed out, was now proposed by Government. They had continued every restriction, every regulation, every precaution, which was likely to repel even the slightest disorder. Every thing had been done to secure the present system of police and government; every thing had been proposed which was calculated to increase the prosperity of India.

The learned gentleman had found out, with considerable pains and difficulty, a few objections to this bill. But he should be glad to know, whether any measure could be devised, for altering so extensive a system, against which no objections could be advanced. It was absurd even to suppose such a thing. He could not agree with the hon. gentleman who had last spoken, in thinking that any suggestions thrown out in that Court would not be attended to by the Government. He believed that every fair representation would be listened to; that reasonable objections would not be disregarded; that no provision, which might be pointed out as likely to produce mischief, either to India or Great-Britain, would pass unnoticed—(*disapprobation*)—at least, he hoped not. (*A laugh*): and, therefore, every gentleman who had it in his power to state that which was calculated to have a detrimental effect on

the country in the present bill, ought to deliver his sentiments fully, that they might be properly discussed. He could not think of criticising the bill, as the learned gentleman had done. He considered it as proposing an extensive control over the affairs of India ; and, at the same time, affording facilities for supporting and carrying on a trade with that country. Now, what were the requisites necessary to follow up such a system with the greatest possible advantage to those interested, and to the public ?—Certainly, to give that fair opportunity to the private merchant which was granted to him by the bill, at the same time that disorder was prevented by proper regulations. This was the view he took of the bill ; and this he thought the proper way to consider it, instead of looking at it in the abstract, without giving credit for those advantages which the measure evidently held out. The Court had a right to consider this bill in as favourable a light as any measure that could be framed on so extensive and intricate a subject. With respect to the Board of Commissioners, to whom very considerable powers were granted, they were a body of men long known in this country, and it was very natural that they should endeavour to procure as much controul as possible. That control had been found most salutary, and ought not to be

deviated from. At the sametime, he was free to say, that he thought there was rather too much of it introduced into this bill.—(*Hear ! hear !*) He allowed there was rather too much. But, because there was a little exceeding on the guarded and safe side, ought they, therefore, rashly to refuse such an offer as that which was now made to them ?

Before he proceeded farther : it was necessary and fair to consider the arrangement about to take place, in a general point of view, as it affected the Company, in their capacity of Sovereigns, as well as Merchants, carrying on the trade of India. Let us look to the situation of India—let us consider the best means of calling out her resources, of procuring the greatest portion of happiness for the inhabitants themselves, and of advantage for the mother country, by which the Eastern Empire was acquired and was supported. In this view, as Sovereigns of India, so far from finding fault with the legislature for throwing open the trade, he conceived, that they ought to be pleased with the alteration. Nothing whatever had been taken from them ; although permission was given to the private merchant to carry on the trade in common with the Company, on the expiration of their Charter. Now, if they possessed assets, ships, territories, and all that variety of property which the learned gentleman had

spoken of, why should their views be so restricted and confined, as to excite a jealousy in their breasts, against those over whom their advantages were so pre-eminent? Enjoying such advantages, he would maintain, that, if spiritedly and judiciously applied under the new system, they would be productive of greater good, than if the old principle still continued to be acted upon. If this India commerce were necessary for the existence of the Company, and if their advantages over the private trader were so numerous and so commanding, why should they, for one moment, bring forward, as a source of general complaint against the bill, that clause by which the trade was thrown open! As Sovereigns of India, he should ever contend, that the clause in question, instead of occasioning disgust against the entire bill, ought to be considered as the best enactment in it. As Sovereigns of that immense territory, it was their duty, above all others, to encourage an increase of its trade, commerce, and manufactures: and such an increase could only be produced by throwing open the ports of India to the private merchant. There was one point, which he was sorry the learned gentlemen had not at all mentioned in his speech, and to which, probably, most of the members of that Court would be hostile—he meant the encouragement

of East-Indian shipping. As Sovereigns of India, they ought to give every encouragement to the shipping of that country—that was the true way of extending its Commerce; and, on these two sources of prosperity, an extensive shipping, and a large trade, ~~all~~ that a country required for the comfort of its inhabitants mainly depended.

Under the clause to which he had before alluded, and which seemed to him to be one of the most favourable in the whole bill, instead of the exports from this country amounting only to one million, they would, in a few years, probably double that sum; and he felt confident, that they would continue progressively to increase. Now, if it were contended, that from such an extension as this, no benefit would be derived by the two countries, he could only say, that such an assumption was completely contrary to every principle he had ever heard laid down on commercial subjects—it was contrary to experience, it was contrary to practice. From his conviction, that the trade to and from India would be increased, he felt, that the Legislature, in throwing aside those restrictions which formerly existed, did that for which, as Sovereigns, the Company ought to return them their sincerest acknowledgments. They had opened new channels of wealth and prosperity for Great Britain, which would be the *emporium* of this in-



creased commerce for the rest of Europe, and for America : therefore he could see no reason to prevent them, as Sovereigns, from doing complete justice to the commerce of the East, under the powers with which that bill proposed to invest them. It appeared to him, that, as Directors and Sovereigns of India, they ought, in every point of view, to pay the utmost attention to this extension of commerce, as the true and only means of carrying on their Indian government with energy and effect ; and if every other enactment in the bill gave additional facilities to every government in India to embark with spirit in the commerce which this new system would produce, it would be attended with still greater and more beneficial effects. Why, then, should any persons endeavour to throw obstacles in the way of a measure which, when temperately investigated, though not formed to give all the advantages which might be produced, appeared, at least, to proceed on that principle, the farther extension of which was only necessary to the mutual prosperity of all the parties engaged in or connected with the trade between the two countries. Much had been said, as to the danger to be apprehended from this bill, if passed into a law, and many harsh epithets had been applied to it, as if it degraded and dishonoured the Com-

pany, by the learned gentleman; but he could not believe, that the learned gentleman really imagined that any one provision of the bill was degrading to the East-India Company. Surely, the learned gentleman must know, that there were periods when the Company's commerce was carried on at such a loss, that if those who were invested with the right of control had not interfered (and they certainly did not act from base or unworthy motives, but to uphold the prosperity of India, and to preserve the resources of that country) the most deplorable consequences must have followed. Why, then, should they imagine, that those who now possessed the controlling power would be actuated by any other principle? Why should they harbour the idea, that they would be capable of abusing their authority, to thwart and cramp the exertions of the Directors. This was a suspicion which they had no right to entertain; and, in his view of the question, it was necessary that a wholesome and proper control should exist. In the year 1797, one of the Company's officers in India borrowed money, at the rate of 9 and 10 per cent. for the purpose of investments, which, when they were sent to this country, occasioned a very considerable loss. This proved how prudent it was that there should be a controlling power.

The learned gentleman stated, that their last sales had produced £1,000,000 sterling, and he asked, "What would the Company do without "it?" But the amount of their sales was not the just criterion of their prosperity; that was only to be estimated from a general view of their entire commerce, balancing that which was productive against that which was otherwise.

They had, indeed, before they could form a just conclusion, to consider many different points: for instance, if it appeared that they were obliged to borrow money at a very high rate of interest, for the purpose of carrying on their commerce, they could not consider that a proof of a very flourishing situation. To prevent the recurrence of such circumstances, he, for one, was not sorry that the Board of Control had the power, if they saw any similar proceedings about to be instituted, to check and prevent them. This being the real state of the case, without any concealment or exaggeration, he could not conceive any reason the Company had to complain of a control over their investments, which was formed for the best purposes. If, indeed, it could be supposed, that the Board of Commissioners would prevent them from dealing in productive articles, and, at the same time, permit the private trader to take advantage of those articles,

there would then be serious ground for dissatisfaction; but he saw no symptoms of such a disposition. Nor did he think that any suspicion had ever entered the minds, even of those who were most hostile to the measure, that such would be the conduct of His Majesty's Ministers.

So far from too much liberty having been granted by this bill to the private trader, he could point out several clauses, which were most disgraceful to them as Proprietors, and as Englishmen. From those clauses which, he contended, were most illiberal, it should appear, that the period had not yet arrived, when the native of these realms was to be put upon the footing of the most favoured nations. He might proceed to a foreign land, and; from thence he might trade, without any obstacle being interposed by Great Britain, to every part of India. A Frenchman, a Dutchman, a Dane, or a Swede, might avail himself of this permission,—he might proceed to any of the presidencies he pleased, and carry on whatsoever trade he deemed necessary, so long as he behaved himself correctly. And, should they, who were Englishmen, permit that enactment, by which, if a native of these countries set his foot on the shores of India, without a special protection, he was liable to be ordered off that

moment, however inoffensive his demeanour. He could not remain, unless he had procured a license, which might be withheld, or granted, from mere caprice,—a feeling which, he hoped, did not often prevail. The clause, therefore, of which he complained most severely, was that which, so far from affording unbounded liberty to the private trader, rendered the idea of free commerce, a mere farce. No person, without a specific license, could remain in India for an hour, without subjecting himself to fine and imprisonment. As an Englishman, he objected to this clause :—he objected to it, because it did not allow a sufficiently extensive liberty of trade. He could not conceive why British subjects should be denied those facilities which were enjoyed by the subjects of other countries ; they were not permitted to remain at any of the presidencies, as foreigners were,—and the consequence was, that until the rupture with America prevented it, the capital of British merchants was employed in carrying on almost the whole trade between China, India, and America. Was it, then, defensible, that for twenty years longer, such shackles should be imposed on the industry and enterprise of Englishmen? Yet, he feared, from the silence of gentlemen behind the bar, and from the stillness of those whose duty it was

to oppose such an exclusion, it would be passed in the British senate. He would enter his protest, as far as he was able, against such impolicy; and he trusted it would be provided, that so long as British subjects conducted themselves with due decorum, they would be permitted to remain in India: for, be it remembered, the power of sending them out of that country was not to be connected with any provision at present existing in England. If an individual was not possessed of a license, he was taken up and sent away; and, no matter what the circumstances of the case were, he had no redress. A man was thus liable to be deprived both of his liberty and of every hope of realizing that competence, the idea of which had drawn him from his native country. They ought to unite, one and all, against such a regulation.

Another great cause of objection was, the manner in which the licenses were to be granted by the Board of Controul. From this it appeared, that the merchants would be, in a great measure, confined to the three presidencies; but every person conversant in India affairs, knew perfectly well, that a merchant proceeding to either Madras or Bombay, could not purchase one-twentieth of his cargo at those particular places. It was the

object of the merchant to purchase his goods as near as possible to the place where they were manufactured; but, if he were obliged to take in his cargo, just as he could procure it, at any of the presidencies to which his license extended, he must, of course, be put to a greater expense; an expense produced by the carriage of many of the articles from distant parts to the presidency to which he was restricted. Therefore, they gave to the merchant a nominal trade to *India*, but deprived him of the facility of procuring his goods at the lowest possible price, by purchasing them at, or near to, the place of their growth. To remedy this, he thought permission should be granted to vessels, in their way to; or from the presidencies, to stop at any intermediate place, if fair, legal, and veritable cause were shewn for such proceeding. Liberty ought to be given (that the merchant should have every opportunity of trading profitably) for vessels to stop on the coast, either going up or coming down. As the privilege was then granted, no ship could load or unload, could dispose of one cargo or take in another, with any advantage whatever. He had no hesitation in saying, that to carry on a trade on this principle, would be attended with the greatest losses: he hoped, therefore, that the Directors

in their communications with his Majesty's Ministers, would take care that such a circumstance should be particularly attended to; for, in his opinion, the effect of that clause would be to delude the public into a belief, that there were much more extensive sources of wealth open to them than really existed.

Another objection he had, was to the clause permitting Government to make alterations. The last Charter had the same clause. If there were the same reasons at that time, they had that power; but he certainly did not think that any injury could arise from a wise use of that controul, which he thought the intentions of Government were aimed at by this interference. Objections he most undoubtedly had to the Secretary of State having any authority to interfere in East-India affairs. He confessed he could not see how the Secretary of State could have any thing to do in that department, when there was a Board framed expressly and specifically for the direction of East-India affairs. This department of the public service had nothing, surely, to do with the duties of the Secretary of State, who certainly had quite enough to do in his own legitimate department, without saddling him with the necessity of acquiring information respecting India;—for how could he grant a license to a man



without knowing the policy of India, or the expediency of withholding or granting it, he never having been in India himself. This power would, in his opinion, materially interfere with the province of the Board of Controul. Upon that principle alone it ought to be rejected; but, in every point of view, it was objectionable. It was virtually putting the controul into the hands of one man. Besides, this authority of granting licences might, through the very ignorance of the Secretary of State upon the subject of East India affairs, be carried to a very unwise and a dangerous extent. If this clause were to be retained, the authority of the Board of Controul might at once be abolished. Upon the impolicy of the thing itself, and the inexpediency of casting new duties upon the Secretary of State, whose time and attention were scarcely adequate to the discharge of the tasks already imposed upon him, he should decidedly object to the clause. If the Secretary of State was not able to perform his own duties, at present, by reason of their number and importance, it would be hard to expect of him, that his duties should be better performed by the addition of a duty, which neither his time nor his means of information would enable him to perform.

His hon. friend had said much upon the sub-

ject of the Eastern Islands. It might be recollected, that in the early part of these debates, he (Mr. Hume) stated his opinion pretty fully with respect to the trade to the Eastern Islands: and having made a particular enquiry respecting them, he had the vanity to think that he had a tolerably correct view of the subject. But without individual or local knowledge, the Court had only to look to the experience of the last twenty years, in order to see the absolute impossibility of any ship going from England and passing through the Straits of *Sunda* for the purpose of trading with those Islands: because the nature of the commerce, the temper and disposition of the inhabitants, the situation of the islands themselves, and above all, the danger of the navigation, were such, that he was persuaded no trader from England could ever hope to succeed in his undertakings in that quarter. But he could not agree at all with his hon. friend in the latter part of his suggestion, that much mischief would ensue from the circumstance of Englishmen being “*let loose*” upon the natives. There was no occasion to express this apprehension; for every boy who knew the *Malays*, knew that they would take care of themselves; and all that he (Mr. Hume) regretted was, that the *Malays*

would have but too many facilities, of destroying Englishmen ; and, on that ground, he thought that their exclusion from the Eastern Archipelago would be a wholesome regulation : at least, it would be wise to confine their intercourse in that quarter, as much as possible, to *Batavia*.

Much had been said about the facility of injuring the *tea trade*, and it was said that a considerable degree of smuggling would follow ; for his own part, he apprehended no danger of that sort. Was it to be supposed, that not only the risks of a voyage, such as that to India, but almost the certainty of seizure and condemnation would have no effect in discouraging a voyage for that purpose ? Let this question be answered. If we had a peace to-morrow, whether would it be more difficult to run over a boat to Ostend, and smuggle a cargo of tea from thence to this country, or to smuggle a cargo of tea directly from the East India settlements ? Surely the facility of running over a boat to the French coast was so obvious, and the difficulty of smuggling a cargo from thence to this country was so little, that the question was at once answered. Why should it be supposed, that any rational being would go to the Eastern islands to bring tea home to England, when he would thereby not only endanger his ship, but the other

cargoes which his ship must have on board : for it could seldom happen that he should have a cargo of tea, *merely*, to the exclusion of other articles : now shall it be said that any individual, for the sake of an hundred chests of tea, would risk not only the whole of the property in his ship, but the ship itself, and render himself liable to be imprisoned and exchequered, when he might run over to Ostend in a boat, and bring over tea to any amount to England, without half the risk ? Therefore, for his own part, in that point of view, he certainly saw no sort of danger to the China trade. On the contrary, it would follow, that the interests of the Company in that part of the Eastern world, would be secure from all the dangers apprehended.

He thought it scarcely necessary to say any thing respecting the subject of investments. If the Government were to have any controul over the investments, he took it for granted that they would exercise that controul so as not to compel the East India Company to do any thing to the injury of their interests in that respect. He was convinced they would not, though his learned and honourable friend said that the East India Company, in a former Charter, were compelled, right or wrong, to their advantage or disadvan-

tage, to take investments to the amount of *one million* to India. Now, however, the East India Company was as free as ever. If the Company could invest £500,000 to advantage, or if they could invest three times £500,000, in the name of God let them do it; and let them not be misled because one million, or less than a million, was the amount of investments to which they were confined before, if they could get £300,000 back. All that he understood by this power was, that if the East India Company shall invest goods on their own account, a statement of their goods so invested would be expected; and if it should appear to the Board of Controul that they were carrying on a losing trade, he (Mr. Hume) would ask any man of sense and consideration, whether they ought to be permitted to go on? But he was not desirous of attributing any unworthy notice to this controul. Policy, as well as necessity would induce the secession from a trade which should turn out to be ruinous; and he was persuaded, that if it should appear that the Company were carrying on a losing trade, no rational being would object to that controul which went to stop and check it: so far, therefore, from its being an objectionable controul, he thought it was a most salutary one, as well for the advan-

tage of the Company, as for the general interests of commerce in the East.

Much had been said about the expediency of a controul over the licences to trade to the Company's possessions: for his own part, he thought that in such an extensive concern as that of the India Company, which was not simply a commercial body, but an extensively political one, it was highly expedient that those who were the Directors of this concern, the Ministers, should be able to give an adequate check to any improper licence which might take place. It was a check devised for the advantage of the Company, whilst, at the same time, it was a compliance with the public opinion, very little to the detriment of the Company's interests. He was persuaded, however, that experience would justify the propriety of no longer continuing that controul: it was, therefore, upon public opinion he would be disposed to yield his assent to this controul, and he trusted that no unworthy motive would induce an improper controul over, or injurious restrictions upon the Company's commercial interests. With that view he could have no objection to their power, to interfere to a certain extent, as circumstances and the number of licences granted should require: thinking then,

as he did, that it was not only necessary, but that it would be productive of advantage, he acknowledged that he had heard his hon. and learned friend with the greatest satisfaction; and there was not an individual present, he was persuaded, who was not convinced by the justice of his observations, and the convincing reason of his arguments.

It was certainly to be wished, that the Board of Commissioners for the Affairs of India, whilst they were interposing every check they possibly could to controul their trade in every thing that they thought beneficial to be done, they would also extend the same power in order to diminish the expenditure of the Company: for he would say, that it came ill from them to be promoting, as this bill certainly did, a lasting, and he begged to say, the commencement of a very heavy and unnecessary expence to all the Company's concerns. He did think that that part of the bill which gave them the power of creating expences without the sanction of the Court of Proprietors, was highly unjust to the Proprietors in general, for it was out of their pockets that the increase of expence was to be supplied. If this power of creating new expences was to be permitted, and should pass into a law, it

would be without the concurrence of the Court of Proprietors, who were to pay the monies to discharge those increased expences, and those additional salaries created for new establishments. He confessed that he thought it a monstrous proposition, that the East India Company should not be permitted to grant a pension of £100 to any man, however meritorious he was of such reward, without the controul and sanction of the Board of India Affairs; whilst they were to pay for those new establishments now proposed to be created, and were not at all to murmur or complain at the commencement of an expensive and, he must say, a very unnecessary establishment. For if those who were at present in India would do their duty, he was convinced there was no occasion whatever for such an addition to the number of servants in the Company's establishments. Besides which, it was never found that by increasing the number of assistants they were likely to add to the zeal of the several departments. Therefore he concurred most heartily with all those who objected to that system of expence and commencement of expenditure; first, because it was unnecessary, and next, because, in the present state of the Company's finances, it would be impossible for



them to sustain those expences, notwithstanding all the benefits they were supposed to be likely to derive from the China trade ; and notwithstanding all that could be brought into their yearly revenues by general trade and otherwise. He was persuaded that the commencement of this expence would lead the Company into incalculable difficulties, and involve them in debts which it would be impossible for them ever to pay. They would go on annually increasing their debt, hourly sinking deeper and deeper in difficulty and embarrassment. He called this but the commencement of an enormously expensive establishment, because the same reasons, that applied to the addition at all, would hold good for a more extended application of the principle. It seemed that they were to commence with having only one Bishop in all India. Now, if extent of territory, a numerous population and an increasing church establishment, were at all reasons for adding to the numbers of the hierarchy, in no case could they be more consistently urged than with respect to India ; and therefore he expected that, at no very distant time, they would be called upon to maintain a Bishop in every district, as in England. He therefore contended that it was utterly impossi-

ble for the Company to go on at all, in supporting even the commencement of this system which he so strongly deprecated; unless they had a surplus revenue, which could only be obtained by curtailing their other expenses. Their annual revenue must clearly arise from surplus funds; for the trade of India would never produce to the Company one farthing of profit. He had said this over and over again; and the experience of the last ten years would amply prove it. The trade to China was all they had to look to: that was the only means they had of keeping their heads above water and hindering them from sinking. He therefore, above all things, deprecated the introduction of an ecclesiastical establishment into India, political influence and political power out of the question. It was impolitic and unnecessary; but upon the score of expense, they ought all to object to it in the strongest manner. He begged to be distinctly understood that it was not in a religious point of view he wished to oppose this part of the bill. He felt as warmly as any man could for the interests of Christianity; but it ought to be proved that the Company were able to sustain the expense, before an establishment was put upon them, which; he hesitated not to say, would be increased upon the same doctrine

that it was introduced at all: they would have the example of England followed in all its Church establishments. It was in that point of view, therefore, that he opposed the commencement of a system which must be so oppressive to the Company's means. If His Majesty's Ministers had this plan so much at heart, they ought to find the funds for the payment of it, but not compel the Company to support so expensive an establishment, when their means were scarcely adequate to the maintenance of their present though necessary establishments. But really he saw no necessity for it, even though the means of the Company were sufficient to cover the expense, in any religious point of view. He was sure that an Hierarchy in India could do no more for the interests of Christianity than had already been effected, and could be effected, by the disinterested zeal of the ministers of the church now under the protection of the Company's governments. It could not be complained of the Company that they were very penurious or parsimonious in their expenses, or that they were not desirous, as much as possible, to provide a liberal remuneration for those from whose services they derived any advantage. Therefore, before such a system was adopted, he wished His Majesty's Government to prove that those

ecclesiastical persons already in India, did not do their duty. They ought to make that a part of their case; and if that could be made out, he had no objection that such men should be sent home; and others who were more faithful sent out. But really when the Company had those who would do their duty, he saw no manner of reason why they should be saddled with a double expense, because it might suit the convenience of His Majesty's Government to have such a source of patronage at their disposal. In another point of view also, he objected to this establishment. No man could go out in the situation of a bishop, without holding the same rank as in this country—a rank quite inconsistent with the policy and government of India.

Much had been said of the practices of the missionaries in India. A great deal, certainly, of it was true, and important to the highest degree; but he was not one of those to say—do not permit them to go out to that country. It was the policy of the Company to permit every man to go out to India whilst he obeyed the laws of the country and conducted himself properly as a subject of the state; and certainly he saw no reason for interrupting the course of any man who felt disposed to interest himself in

the cause of religion, provided he behaved discreetly, peaceably, and without doing violence to the prejudices of those persons he was desirous to convert: but what he objected to was that it should be made compulsory upon the Company to promote the religion of the state in that country. He was sure it was quite unnecessary for him to call the attention of those gentlemen within the bar to the able correspondence which took place between the Government of Bengal and this Assembly upon this very subject. No man who read the letter of that government to the Board of Controll, but would be satisfied that the India Company were as much disposed as any men could be to afford every facility for the propagation of the religion of CHRIST, as long as the exertions to do so were consistent with public tranquillity; and they interfered *only* when measures were taken not to *protect*, but to *inflame* and *persecute*; for in his (Mr. Hume's) opinion, conversion became persecution when it acquired authority; and such was the disposition of the people of that immense empire, as every body knew who was at all acquainted with India, that, without authority, the propagators of Christianity would do little in the conversion of proselytes. For what, he would ask, had the Company been

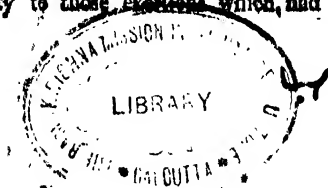
doing within the last twenty years? They had been proving the inhabitants of India to be immoveable and unchangeable in their religious prejudices. What new dispositions had they discovered on the part of those very people, to imbibe the doctrines of Christianity? What revolution of spiritual feeling had broken out to give any well-grounded hope that they would, all at once, become converts to those doctrines which there seemed to be so much anxiety to inculcate? Why should they be expected to be at one time more tractable than at another? The policy of the India Company had shewn their wisdom upon this important subject. They always abstained from the illumination of these peaceful and happy people at the expense of torrents of blood, and religious persecution; for such must have been the result of attempting to conquer prejudices so indelibly rooted in a people like the native Indians. For his own part, he must say, whatever might be thought to the contrary, and whatever cry of prejudice might be raised against him, that there was a mania for propagating Christianity, amongst a certain class of persons. No man could for a moment consider the proceedings of the House of Commons upon the immense multitude of petitions which were presented from different quarters.

upon this subject, without being astonished at the rage for propagation contained in those petitions, and without feeling a sentiment of indignation at those libels and calumnies which some of those petitions contained against the character of the *Hindds*. He believed that, even upon the slave trade, there were not so many petitions to Parliament as there had been upon this subject. In one day there were no less than *seventy* presented to the House of Commons; and what, he would ask, was their prayer? "To convert the *Hindds* "from their barbarous state of ignorance "to a state of civilized humanity." Good God! was there an individual, he would ask, at all acquainted with India, who would say that the people of India were not as civilized in all those points which constituted civilization, as the people of England itself? Could any man deny the quiet and peaceful demeanour of the *Hindú*; his piety in the doctrines of his own religion; his obedience to the laws of his country; his humility to his superiors, and his constant attention to and observance of all the decorums of a well-regulated society? Did not these points, he would ask, constitute civilization? For his own part, he believed the *Hindú* would stand at the top of the ladder of civilization, and all the

practical virtues that adorn mankind, when compared with any part of Europe. He therefore complained, on the part of the *Hindus*, of the gross injustice done to their character. In public addresses they had been calumniated in the most ungenerous, and he must say, unchristian like manner ; he had been, himself, at public meetings, where he was scarcely able to contain his indignation at the torrents of abuse lavished upon that much injured people. It was ridiculous to talk of the Company's considering it their duty to legislate for the peace and prosperity of 60,000,000 of people, while, in the same moment, the government of the country were recommending such measures, at the consequences of which, there was not an individual possessed of the ordinary feelings of humanity who would not shudder with horror and dismay. The Company hoped to fix their connexions with the natives of India by the most indissoluble ties of friendship and confidence ; and *this* by a reverence for their religious prejudices and respect for their institutions : while, on the other hand, the government of the country are anxious to break down that confidence and destroy that good understanding, which had hitherto subsisted between the Company and the people, by putting down their religious institutions, and



substituting in their stead institutions which, however perfect we think them to be—were completely hostile to their principles and prejudices. The nature of the Company's engagements with those people were such, that they were bound to support their religion, whether right or wrong, and secure to them inviolate those institutions handed down to them from the earliest periods of time. He hoped and trusted, that every rational being in this country would set his face against any attempt at any thing like force to conquer the public prejudices in that Empire. (*Hear! hear!*) If the business of conversion was left, as it ought to be, to the exertions of individuals and the peaceful but sincere zeal of truly pious pastors, so long as they confined themselves within the rules of propriety, and were obedient to the orders of the government, he saw no harm in such persons being suffered to proceed in their pious work: perhaps there might be much good; but he was afraid the balance of evil would so preponderate as to give little inducement to the ostensible countenance of such proceedings by the government. In all events, he deprecated in the strongest manner, the introduction of bishops and archdeacons, because that measure at once indicated the stamp of an authority to those exertions which, had









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